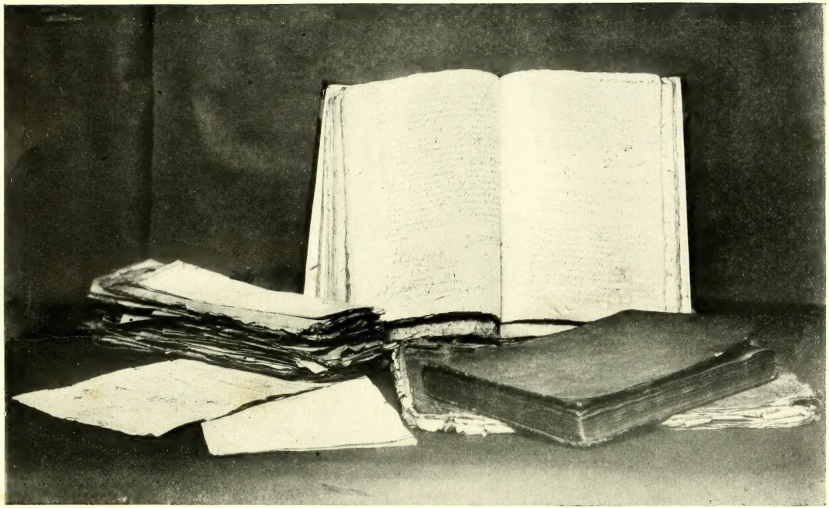

Old Documents from Cahokia and Kaskaskia

COLLECTIONS

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VOLUME II

VIRGINIA SERIES, VOL. I.

CAHOKIA RECORDS

1778-1790

EDITED WITH INTRODUCTION AND NOTES
BY
CLARENCE WALWORTH ALVORD
UNIVERSITY OF ILLINOIS

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PREFACE.

In the fall of 1905, the trustees of the Illinois State Historical Library appointed an advisory commission to formulate a plan for the future publications of the Library. On the recommendation of this commission it was determined that the Illinois Historical Collections should be continued and the volumes numbered consecutively, but also that series should be formed of the volumes of the Collections devoted to the same historical period, such as the French, the British, the Virginia, etc. The present volume is the first which has been published under this new plan and, as its title shows, it is the first volume of the Virginia series. For this reason an introduction has been prepared containing the history of those years, when Illinois formed a part of the commonweath of Virginia and the government established by that state continued to exercise authority over the French villages.

Had not a prior discovery of the manuscripts imposed this selection upon me, I should not have chosen to edit the records of Cahokia first; for, interesting as is the picture of this frontier community which they present, the central movement within the county of Illinois is best traced at Kaskaskia, and as a collection, the records of that village would offer greater variety and interest. How rich is the material, which still remains to be published, may be readily seen from the Introduction.

There will be found in this volume many new interpretations of past events as well as descriptions of those which have been hitherto unknown, the result of a careful comparison of sources, frequently used by previous writers, and a study of much new material recently discovered. In writing the history of these years I have felt very like a pioneer and later researches may not uphold all my conclusions. The work has been done with the sources before me, however, and no important statement has been made without a careful sifting of the evidence as offered by the pri-

mary witnesses. It has been my endeavor to tell the story as it is narrated by those who took part in these events and to remain uninfluenced by prejudice for or against either parties or men. If, on the whole, the picture of the misery of the French people under the tyranny of the Virginians appears to occupy too prominent a place, it is because the testimony of both themselves and the Americans warrants it. Another reason may be found in the fact that the Americans were the aggressors, and, as the critic of a musical performance describes the action of the performers rather than the instruments, so the deeds of the frontiersmen rather than the merely passive experience of the French people must form the theme of this narrative.

In the preparation of this volume I have become indebted to many persons, who have given freely both of time and information. To them I wish to make my acknowledgments and to express my thanks. Several have, however, given me such assistance that a more personal expression is called for. My colleague, Professor Thomas E. Oliver of the department of modern languages, has devoted time and thought to the reading of the text and the elucidaton of its meaning. It has been of the greatest value to me that I have been permitted to use his careful scholarship in all difficult cases. Mr. Benjamin Sulte of Ottawa, Canada, has read all the proof of the French and the translation and his many valuable suggestions have been incorporated into the text and footnotes. Hon. Walter B. Douglas of St. Louis spent several days with me over the translation of the legal phrases and besides has added much to the completeness of the book from his notes. For their unfailing kindness and courtesy in superintending the search for material and the copying of manuscripts, my thanks are due to Dr. Reuben G. Thwaites of the Wisconsin Historical Society, Dr. Arthur G. Doughty of the Canadian Archives, Dr. J. Franklin Jameson of the Carnegie Institution, and Dr. H. J. Eckenrode of the Virginia State Library. Institutions such as the Missouri Historical Society of St. Louis and the Chicago Historical Society have offered the freest use of their collections and to their officers I desire to express my gratitude. I would

also acknowledge my indebtedness for the help they have given me in reading parts of the manuscript or proof to Dr. Louise Phelps Kellogg of Madison and my colleagues, Professor Evarts B. Greene, Professor Stephen A. Forbes and Mr. Frank W. Scott. In making the transcription, in preparing the manuscript, and in reading the proof my wife has been my constant assistant and to her sympathetic judgments and criticisms the volume owes many improvements in arrangement, interpretations, and diction. While rendering thanks for the assistance given me by these many friends, it must be understood that they are in no way responsible for any errors which may be found in the volume; for these I hold myself alone accountable.

URBANA, ILLINOIS, May, 1907. CLARENCE W. ALVORD.

INTRODUCTION.

On the banks of the Mississippi in southwestern Illinois, lies the American Bottom, the land most hallowed by romance and history of all the lands of the old Northwest. Taking no account of the prehistoric epoch whose monuments survive in the numerous Indian mounds of the region, we find its history running back over two centuries to the time when the first white settlers placed their villages by the side of the great river of the West in an attempt to realize the idea of a colonial empire as conceived by the Grand Monarch in his palace at Versailles. Here for almost a hundred years, while the dominion over the Northwest was passing from France to England and from England to the United States, these villages endured unchanged amidst the creeks and ponds of the bottom, which mirrored in their quiet waters the old world civilization transported into the heart of the wilderness from feudalized France.

The American Bottom[1] extended southward from opposite the mouth of the Missouri for about a hundred miles to the point where the Kaskaskia formerly emptied her waters into the Mississippi; but within recent times the lower part of this tract has been cut away by the greater river's breaking through to the bed of the smaller, thus conveying to the Missouri side a piece of this historic ground. Here is found some of the most fertile land in the United States. Like historic Egypt, it is the gift of a river and, like it, is submerged at intervals, although not periodically, by the fertilizing waters that gave it birth. In breadth the bottom land varies from three to seven miles, the average being about five. When the first settlers came, it pre-

[1] The name was given it when the Mississippi formed the western boundary of the United States. It was probably thus named by the Spaniards across the river. (Peck, *A Gazetteer of Illinois*, 2d ed., 5.) Another explanation of the name has been derived from the fact that the Americans spread their settlements over the bottom land more than the French. This latter explanation must have arisen after the United States acquired Louisiana and the name had lost its earlier significance.

sented to the eye a view of almost tropical luxuriance, inviting the beholders to make their homes in a spot that offered more than the land of promise flowing with milk and honey. Along the bank of the Mississippi was a forest of about a mile in width, wherein grew various kinds of nut trees, hickory, pecan, black walnut, and here and there were scattered groves of crabapple and single trees of the persimmon and mulberry. The underbrush was composed of numberless thickets of wild plums, blackberry and other bushes; and all were matted together by the grapevines, which, in their efforts to gain the sunlight, twined serpent-like about the tree trunks, encircled the branches, and almost covered the tops with their broad leaves. On the east side of the bottom was a long stretch of limestone bluffs, rising perpendicularly from the plain to the height of about a hundred feet, effectually cutting off the low land from the prairies beyond. The bluffs presented their rough-hewn faces to the view like the bastions of some cyclopian fortress, but in places they were screened by the trees which clung to their sides and hung from their crests. Between the forest and the cliffs lay an undulating meadow, the surface of which was varied by belts of trees bordering the lakes and ponds or fringing the streams which had found their way through the bluffs and followed their quiet courses to the great river beyond. On both meadow and bluff the growth of the flora was luxuriant. In the marshy places the reeds raised their slender tops far above the head of the passer-by, hiding from view the snowy lilies serenely floating on the surface of the ponds; while in forest, field, and swamp the bluebells, goldenrod, mallows, and cardinal flowers made the scene on every side gay with their brilliant hues.

Here nature offered her gifts with bounteous hand; but as in all such lands of tropical prodigality the climate was warm and enervating, inducing in man a love of indolence and repose rather than the more virile emotions. The ponds and streams, so beautiful with their fringe of foliage in spring, became in summer stagnant and were the breeding places of myriads of mosquitoes, which scattered the germs of disease among the hardy invaders

of the wilderness. In the springtime the waters of the Mississippi submerged the land and occasionally stretched in an unbroken expanse from the bluffs of Illinois to those of the opposite shore.[1]

This is not the place to tell the earliest history of this region, of the exertions of the French to settle and hold the Mississippi valley, or of that inevitable struggle with England which ensued; for the narrative of the documents printed in these pages belongs to a later period. When their story begins the American Revolution was at its height, and the echoes of that struggle, heard on the banks of the Mississippi, had awakened in the hearts of the French *habitants* a fond hope of freedom; when their story ends, the constitution of the United States had been adopted and the new-born nation was prepared to attempt the solution of the difficult problems incident to her heritage in the West. Between these dates the American frontiersmen had found their way to the Illinois and the dramatic struggle of Anglo-Saxon energy with Gallic quietism had begun.

In the year 1778 there was a population of less than a thousand white settlers and of about the same number of negroes and Indians in the villages of the bottom. At the north was Cahokia with its three hundred whites and eighty negroes; forty-five miles south was St. Philippe, formerly inhabited by a dozen families, but now, because of the exodus of the French at the time of the transference of the territory to the British, with only two or three remaining; at Fort de Chartres village, called Nouvelle Chartres, there still lingered a few French settlers; three miles farther south Prairie du Rocher nestled under the bluffs, from which it took its name, with a population of a hundred whites and almost as many slaves; and at the extreme south was the

[1] Hutchins, *Topographical Description*, ed. Hicks, 106 *et seq.*; for a good description of the American Bottom, see Flagg, *The Far West*, in Thwaites, *Early Western Travels*, xxvii., 106 *et seq.* At the end of this volume will be found a map of the American Bottom taken from Collot, *Voyage dans L'Amerique Septentrionale*. This map was originally printed wrong way around, for the river flows north and south instead of east and west as indicated by the caption. I have removed the compass of the original map, but have not made the other necessary alterations, preferring to print it as in the original. The basis of this map was undoubtedly Hutchins' well-known map of the same region. My additions are the names of Prairie du Pont, Grand Ruisseau and Prairie du Rocher. I have also changed the name Fountain to Belle Fontaine.

metropolis of the bottom, Kaskaskia, which boasted eighty houses, five hundred white inhabitants, and almost as many black.

The settlement of the white men in the bottom had not driven out the aborigines, for the French have always dwelt in peace with the American Indians, the management of whom they understood far better than did the Anglo-Saxons. Near the French villages were the homes of these children of the prairies, who numbered at the time less than five hundred members of the four remaining tribes of the Kaskaskias, Peorias, Mitchigamies, and Cahokias. The French and British travelers are unanimous in describing these Illinois Indians as degenerate descendants of a once warlike people. Their association with the French, instead of fitting them better to meet the trials of life in the wilderness, had corrupted the qualities of bravery and physical courage and made them the debauched parasites of their white neighbors.[1]

Besides these settlements of the American Bottom on the Mississippi River, there were in the valley of the Wabash the two important posts of Ouiatanon and Vincennes, the latter of which rivaled the Illinois villages in population and importance; for it was by the Wabash that the principal trade route between the more western posts and Canada ran.[2] Many smaller settlements were scattered throughout the region; at Peoria on the Illinois river, where lately Jean Bte. Mailhet had revived an older trading post; at St. Joseph on the river of the same name, and at Miami; and here and there smaller groups of French traders might be found in the Indian villages and elsewhere. These smaller posts served only the purposes of trade. Their white inhabitants, being migratory in their habits, either followed the Indians on their periodic hunts or went from one post to another merely to buy the furs when the Indians returned.

The British dominion ended with the Mississippi River. On the western bank were other French villages such as St. Louis and

[1] Pittman, *European Settlements on the Mississippi*, ed. Hodder, 84 *et seq.*; Hutchins, *Topographical Description*, ed. Hicks, 107 *et seq.*

[2] Benton, *The Wabash Trade Route*, J. H. U. *Studies*, xxi.; Dunn, *Indiana*, *passim*; Craig, *Ouiatanon*, in Ind. Hist. Soc. *Publications*, ii.; Franz, *Die Kolonisation des Mississippitales*, 199.

Ste. Genevieve, belonging to the government of Spain. They did not differ greatly in character or population from these of the British shore; but since the rule of the Spaniard was on the whole more congenial to the Gallic temperament, many of the more progressive settlers from the eastern bank had made their homes there during the last decade, and the Spanish bank enjoyed greater prosperity and a more rapid increase of population than did the British, advantages which the events of the succeeding years tended to augment, so that at the end of the period under review the Spanish shore had profited by the misfortunes of the neighboring villages.[1]

Most of the French of the western posts came from Canada, with which country they retained constant communication through trade and exchange of messages on family affairs. Very few had come directly from France and the number from southern Louisiana was relatively small.[2] Here in Illinois and on the Wabash which under both the French and British regime were subject to the same jurisdiction,[3] they had lived for one or two generations, engaged in the pursuits of trade and the cultivation of their small farms. The majority, known as the *habitants*, coming as they did from the lower classes of France, were illiterate and ignorant; and their life in the wilderness, far removed from the restraints of civilized society, had not improved their mental or moral qualities, but had developed those best fitted to their mode of living. Like the Indians with whom they associated and even intermarried,[4] they were active, adroit and hardy, but

[1] See *post*, pp. cxlii *et seq.*

[2] See notes to census on pp. 624 *et seq.* Reynolds (*My Own Times*, ch. xii.) says that the population of Kaskaskia and Cahokia showed differences due to their origins, the former being settled from Mobile and New Orleans and the latter from Canada. Although I have not traced out the origin of all the families of Kaskaskia as I have of those of Cahokia, I have noticed no indications of such a difference. Certainly all the prominent families of Kaskaskia were Canadian and the names of the other families are easily recognized as coming from the same place. Although it is necessary to make some use of Reynolds' books, they must be recognized as the most unreliable sources for the early period that we have. More errors in the histories of the state may be traced back to his statements than to any other one source.

[3] This is true only of the more important village, Vincennes; for Ouiatanon was under the government of Canada, and Vincennes with the Illinois villages in the province of Louisiana during the French period. Dunn, *Indiana*, 58.

[4] All writers testify to the intermarrying between the French and Indians, but I have been surprised at the infrequency of the occurrence of marriage contracts between representatives of the two races among their records. This may be due to the fact that contracts on such occasions were not used. I am inclined to believe, however, that the frequency of such marriages has been somewhat exaggerated by the travelers.

also cunning and treacherous. At their best the *voyageurs* and *coureurs de bois* could be seen laboriously pulling their flat boats laden with produce up the rivers or gliding in their canoes on the wood-girt streams and ponds in pursuit of game. In such labors they were merry, patient, and industrious; as a rule they were faithful in the performance of their engagements and were warm in their friendships, but to their enemies revengeful and ready to take the meanest advantage. Yet their life amidst the dangers of the forest did not develop in them physical courage, for in the presence of an unexpected attack from Indians or others they were generally timid and resourceless.[1] Without doubt many individual examples of pluck and bravery might be enumerated; but in comparison with the American frontiersmen the French *voyageurs* and *coureurs de bois* exhibited little boldness and initiative in action. Returned to the settlement they were careless and pleasure loving, dissipating their energies in drinking, gambling, and gossiping; and, as irresponsible as children, they were easily turned aside from the pursuit of their real interests. It can be readily understood that to the men who followed the wilderness trace or tracked the wild beasts in the dark forest, agriculture and the mechanic arts would offer little or no attraction; but even in the pursuit of their calling one looks in vain for a sign of the enterprising spirit of the Anglo-Saxon.

Although priests and governors made loud complaint of the disorderliness of these *habitants*, yet their pleasures and vices were of a far milder type than those of their counterparts, the American backwoodsmen. The French always retained a respect for law and constituted authority and preferred to be guided rather than to lead. The expression of their individualism was checked in the presence of officials, for government meant to them authority with a divine right to rule. In all their dealings, business and social, they never neglected to call in the assistance of notary or judge, whose legal papers they preserved, as their records show, with the greatest care and reverence. In their

[1] This is abundantly proved by the following pages. Such is also the testimony of the fur traders of the far West, who employed the descendants of these French as *voyageurs* and hunters. Chittenden, *American Fur Trade*, i. 57.

petty quarrels with each other the Frenchmen saw no disgrace in seeking from the court a "reparation of honor" instead of ending them with the brutal fights common among the Americans. Though given to drinking and gambling, the dance was their favorite amusement, and to the weekly frolic came the men and matrons, the young men and maidens; and even the priest graced these festive gatherings. Here all danced until the small hours of the night or even to daybreak with no appearance of rowdyism or vulgarity to mar their simple festivities.[1]

It is due to the remembrance of this lower class, the *habitants*, that travelers, both French and English, have condemned in such unmeasured terms the Illinois French settlers; but the picture of the village society would be incomplete if limited to a description of the *coureurs de bois* and *voyageurs*; for it was never wholly vulgarized and depraved, owing to the presence here of many persons from the better classes of France and Canada — the gentry, Clark called them — who, accustomed to greater refinements of life than those of the log cabin, endeavored to surround themselves with such little elegancies as might be brought from Canada or elsewhere. Some of the residents could claim nobility of birth. The acting commandant in 1778 was son of the seigniorial lord of Savournon, the sieur de Rocheblave. Timothe Boucher, who a few years later held a similar position, was the sieur de Monbreun,[2] a grandson of Pierre Boucher several times governor of Three Rivers, who was ennobled for his services in 1660. Among the gentry, which was a rather elastic term, were also many well-to-do men, who had risen to prominence in the Illinois or else possessed some patrimony, before migrating to the West, which they had increased by trade. Such was Jean Bte. Barbau of Prairie du Rocher, the members of the Bauvais [3] and Charleville families of Kaskaskia

[1] Reynolds, *My Own Times*, ch. xii.

[2] For an account of his place in Illinois history, see *post*, p. cxxiv. The name is spelled in Canada Montbrun, but this member always wrote it as given above, except in one place, which I have noticed, when he placed after it a superior t.

[3] Reference to the family will be found at various places in the Introduction see pp. xx., n. 5, li., n. 3, cvii., cxvi., cxxxv. The members of the family always wrote the name as spelled above. They commonly used their second name in preference to their surname St. Gemme.

and their neighbors and friends, the Viviats, the Lachances, and the Janis; and at Cahokia, the Sauciers, François Trottier, Antoine Girardin, and J. B. H. LaCroix.[1] Next to the acting commandant the most important individual of the American Bottom was Gabriel Cerré, who had acquired his wealth in the fur trade. He was well educated and had correspondents in Canada and elsewhere.[2] Among the rising young men must be reckoned Charles Gratiot, who had established himself at Cahokia in 1777 and was associated in business with three Canadian merchants. He had had an excellent education, spoke several languages, was something of a dandy in dress, and had by his address won for himself a place of influence in the community.[3] These were the men and others like them to whom Sir William Johnson, the British Indian commissioner referred, when he wrote that the French traders were gentlemen in character, manners, and dress, and "men of abilities, influence, and address."[4]

These members of the gentry lived far more elegantly than the American backwoodsmen and were their superiors in culture. Their houses were commodious and their life was made easy for themselves and families by a large retinue of slaves.[5] They were in social life pleasant, their hospitality was proverbial, and their courtesy to strangers constant. They evidently maintained the distinction between themselves and the poorer and more ignorant classes, so that the democracy of the American frontier was not established among them. Thus was added to the French settlements an element of refinement and elegance, however simple,

[1] For these Cahokians see the foot-notes on pp. 624 *et seq.*

[2] Gabriel Cerré was born at Montreal, August 12, 1734. As early as 1755 he was established at Kaskaskia, where he married in 1764 Catherine Giard. His activities at the time of the coming of Clark are told in the succeeding pages. He did not find it best for his business interests to remain among the Virginians and by June 17, 1779, had made his preparations for his removal to St. Louis by purchasing a lot in that village. The date he left Kaskaskia is not known, but was probably before the end of 1779. He became one of the most influential citizens of St. Louis and died April 4, 1805. Douglas, "Jean Gabriel Cerré, A Sketch," in *Transactions* of Ill. Hist. Soc., 1903.

[3] See note on p. 4, n. 2. I have to thank Mr. Pierre Chouteau of St. Louis for the loan of *Journal A* of the trading company of David McCrae, John Kay, Pierre Barthe, and Charles Gratiot. The first entry is dated at Cahokia, August 6, 1778. The journal was written by Gratiot.

[4] *N. Y. Col. Doc.*, vii., 965.

[5] A member of the Bauvais family owned eighty slaves. Pittman, *Miss. Settlements*, ed. Hodder, 85.

which was always lacking in the more virile, if less romantic, communities of the American pioneers.[1]

Except for the wildness of the surrounding uncleared land and the luxuriance of the growth of vegetation, these villages copied in their external appearance and internal life the similar communities of France in the eighteenth century. Just as the English settlers on the seaboard brought with them their English household goods and their English institutions, and planted them by the streams and hills of New England, so these French of the Mississippi valley transplanted from the heart of France their homes with their utensils and ornaments and the village community in which they and their ancestors had lived.

All the houses were of one story with a broad veranda on one or more sides. The less pretentious ones were built of upright beams set in horizontals at top and bottom with the interstices between the beams filled with what was called "cat and clay", a composition of clay and finely cut straw or moss. At one side, and sometimes two, there was a large chimney for the spacious fireplace of the living room and kitchen.[2] The better houses were of stone and with their sheds, barns, and slave quarters gave evidence of prosperity and wealth. Around each

[1] Very severe judgments have been passed upon the French on the Mississippi and Wabash rivers by many writers. Among these the most important have been the British officers and the later French travelers. The first class has always been noted for its incapacity to appreciate the good characteristics of a civilization different from its own, and the French travelers, such as Michaud and Collot, visited the region after the events narrated in this *Introduction* had driven the more progressive men from the eastern bank to swell the Spanish villages. Therefore it has seemed necessary to supplement their accounts from other sources. In writing the description of these people I have first of all had in mind the record of their acts contained in this volume. The picture formed in the mind after reading these records is not that of the most "debased, ignorant, and superstitious of humanity", but rather the reverse. These facts should in part offset the strictures of Fraser and Croghan, as should also the letter of Sir William Johnson quoted above. At their best the French of Illinois were not dissimilar from those on the Spanish bank, so that the description of Ste. Genevieve by Brackenridge is correct enough for Illinois. Any knowledge of the conditions in Canada may be used cautiously also. We have two attempts to form judgments of these French, coming from men of different character. The first is by C. F. Volney, who visited the region in 1796 and the other by Edmund Flagg whose visit was made in 1836. The testimony of Governor Reynolds may also be admitted, since he lived among them and knew them well. Fraser, *Report*, from a copy in the public library of Champaign, Ill.; Croghan, *Journals*, in Thwaites, *Early Western Travels*, i., 152; Letter of Sir William Johnson in *N. Y. Col. Doc.*, vii., 965; Volney, *View of the U. S.*, 370 *et seq.*; Michaud *Travels*, in *Early Western Travels*, iii., 70; Brackenridge, *Recollections*, 19 *et seq.*; Smith, *St. Clair Papers*, ii., 137. Collot, *Voyage dans L'Amerique*, i., 318; Flagg, *Far West*, in Thwaites *Early Western Travels*, xxvii., 52 *et seq.* An excellent description of the French-Canadians of the period may be found in Coffin, *The Province of Quebec and the Early American Revolution*, 282 *et seq.*; see also Franz, *Die Kolonisation des Mississippitales*, 382.

[2] See illustration of a typical house of this character, p. 284. Descriptions of such houses may be found in Monette, *Hist. of the Valley of the Miss.*, i., 183 and Volney, *View of the U. S.*, 368.

dwelling was a small yard enclosed by a picket fence, within which enclosure were the orchard and the kitchen and flower gardens. The whole presented an attractive picture of quiet and peaceful home life. Within the house everything was generally home made, although some of the more wealthy brought their furniture from Canada. The poorer houses appeared shabby and badly kept, for the French women were careless housekeepers, and rather extravagant and wasteful. At least such was the opinion of the American settlers who lived among them.[1]

On account of the social character of the people, the isolated farm house was uncommon in the bottom and the village community was the rule. The streets were narrow and the houses were placed close to the edge of the lots, almost on the street-line. The farm land lay outside the village in two large fields, one the common field and the other the commons. The common field was divided into long narrow strips, ten to forty perches in width and extending from the river to the bluffs; these the inhabitants cultivated. The commons was the wood and pasture land belonging to the community,[2] and was separated from the cultivated fields by a fence, which was erected by the proprietors, each being responsible for that part crossing his land. The community had the right to make concessions from the commons and add them to the common field for new arrivals and for newly formed fami-

[1] Volney, *A View of the U. S.*, 373 *et seq.*

[2] The statement is true enough for the period under consideration. This is not the place for a discussion of the history of French land tenure in America, for the origin of the system must be sought in the period of the French régime and the final settlement of the questions arising out of it in the years after the United States took control, so that the discussion of the land tenure will naturally come within the scope of some future volume. However, a few words on the subject may be of value in explaining the situation. The land acquired from the Indians for the purpose of colonization was regarded as belonging to the king's domain, after the company of the Indies resigned the government of it. This domain land was disposed of in two ways. 1st. Large tracts might be granted to individuals as seigniories. The character of the title given was that of the *franc alleu*, which in the eighteenth century did not differ essentially from the benefice. These large seigniories were divided by the proprietors into smaller tracts and granted to the *habitants* as *censive* holdings, which paid the grantor a perpetual rent of a *sou* an acre, were subject to the banalities, and escheated to the seignior in case no heirs were found. 2nd. The king might retain the control of the land himself and grant it out himself in *censive* holdings, as he did at Kaskaskia and Nouvelle Chartres. The land cultivated by the people of Cahokia belonged to the seigniory of the Seminary of Foreign Missions; St. Philippe was a seigniory belonging to the Regnaults and Prairie du Rocher had been originally conceded to Boisbriant, but had been passed on by him to Langlois. In the bottom there were also many smaller concessions in *franc alleu* and under the British many more were made by one of the commandants. Viollet, *Histoire du droit français*, 746 *et seq.*; *Archives Coloniales à Paris*, Ser. B., vol. 43, p. 780; Breese, *Early Hist. of Illinois, Appendix* E.; Franz, *Die Kolonisation des Mississippitales*, 201

lies.[1] This method of laying out the fields and this kind of land tenure were transplanted from France, where they had been developed through centuries; for when the French people found themselves in places where land was plentiful, the power of tradition prevented a readjustment of their ideas in regard to landholdings and agriculture. Hence they brought with them the mark system and tenure, with the whole machinery for the administration of the village land as they knew it in France. The time for plowing, sowing, and harvesting was regulated by the assembly of the inhabitants, as well as all other questions affecting their common property and common interests. The officer elected to supervise the execution of the laws of the commons and the decisions of the assembly was the syndic, of whose presence in the villages on the Mississippi during the eighteenth century there still exists proof. The assemblies of the villagers, which copied the French custom in this particular as in all others, were held before the church door after mass and were attended by all males of military age. [2]

The Illinois French were not an agricultural people, although they did send down some grain and cattle to New Orleans.[3] For this reason they made no progress in the art of agriculture and continued to till their fields in the same way and with the same kind of implements as had their fathers for generations before them. The profits and the adventurous life of the fur-trader exercised for them such a fascination as to prevent their pursuit of a calling which would have given them a firmer hold upon the soil and might have preserved them from many of the misfortunes which finally overcame them. For the same reason they never speculated in land or attempted to gain possession of large holdings. In later years, when they in a way controlled their own destiny, they tried to protect themselves from the

[1] Babeau, *Le village sous l'ancien régime, passim;* Flagg, *Far West,* in Thwaites, *Early Western Travels,* xxvii., 45 *et seq.*

[2] Babeau, *Les assemblées generales des communautés d'habitants;* Babeau, *Le village sous l'ancien régime, passim.*

[3] When compared with the Americans, this is true; but the Illinois French raised grain and vegetables to a greater extent than has generally been admitted, and their exportation of grain to New Orleans was an important item in the Mississippi trade. Franz, *Die Kolonisation des Mississippitales,* 251.

American land-traders; but the contest was too unequal and, since their own hold on the land was so weak, they were forced to bow to fate and to see themselves supplanted by the Americans, who were builders of more permanent homes.

The most conspicuous buildings in the villages were the churches. The Cahokia church, however, was in ruins in 1778 and was rebuilt in the next few years; but at Kaskaskia there was "a huge old pile, extremely awkward and ungainly, with its projecting eaves, its walls of hewn timber perpendicularly planted, and the interstices stuffed with mortar, with its quaint old-fashioned spire, and its dark, storm-beaten casements." Here the Kaskaskians had worshipped for two generations.[1] The people were for the most part very devoted to their religion, and the priests exercised great influence over them. Their attachment was due more to traditional allegiance, however, than to personal conviction. The wild life of the wilderness had not been without its effect, and the lack of proper supervision had resulted in religious recklessness; yet however debauched and irreligious their lives, the *coureurs de bois* and *voyageurs* were easily brought by a vigorous priest to acknowledge their dependence on the church. At the moment of death they always sought the consolations of religion and left by will money for the saying of masses for the dead. There appears, therefore, to have been no rebellion against the church. In one individual case only is there any evidence that the radical thought of France had penetrated to Illinois.[2]

In the management of the church property the villagers were associated with the priest through the vestrymen, whom they elected for this purpose from the most prominent men of the communities. Social life centered in the church, as it did in the Puritan New England village, and the people looked forward to the church processions and festivals as important events in their

[1] Shea, *Archbishop Carroll, passim*; Flagg, *The Far West*, in Thwaites, *Western Travels*, xxvii., 62.

[2] Louis Viviat requests in his will that no pomp and ceremony mark his burial and that no payment be made for masses for the dead, since the deity is not mercenary nor is heaven to be bought. *Kas. Rec., Court Record.*

monotonous village life. It was also at the church door that the assemblies of the people met, that the auction of property was held; and it was after the church service that the Sunday dance took place.[1]

In 1778 the priest in charge of the Illinois parishes was Father Pierre Gibault, who with some interruptions had been serving the parishes on the Mississippi and Wabash since 1768. He was *curé* of the parish of the Immaculate Conception of Kaskaskia and vicar general of the bishop of Quebec. Father Gibault came from a good Canadian family. He was enthusiastic in his work, and appears to have maintained order in the parishes, which had been long neglected or served only by Father Meurin who had found himself too old and feeble to perform his arduous duties successfully. Father Gibault during the years of his residence had gained a great influence over the people of the region, which he used at a critical moment to change their destiny.[2]

The territory of Illinois had been ceded by France to England by the Treaty of Paris in 1763 and two years later British troops had occupied the country. The policy of the British government was very vacillating in regard to the Northwest Territory, and particularly as to the French villages. It is quite evident that there was no purpose of opening the region up for settlement, and there was serious thought of removing the French from their villages to Canada.[3] For this reason the government of England was unwilling to establish a permanent civil organization in spite of the efforts of the French inhabitants and the American traders and land speculators, so that the government remained to the end military. Until 1774 the whole Northwest was subject to the commander of the British forces in America with headquarters at New York, and the relations of the West were closest with the seaboard colonies. In that year, however, by the passage of the Quebec Act the country was joined to Canada

[1] Babeau, *Le village sous l'ancien régime*, *passim*.

[2] Shea, *Archbishop Carroll*, consult *Index;* Dunn, *Father Gibault*, in *Transactions* of the Ill. State Hist. Soc., for 1905.

[3] Gage to Hillsborough, March 4, 1772, *Spark's Collection*, Harvard lib.

and steps were taken to provide a civil government for it; but this was prevented by the outbreak of the Revolutionary War.

In the spring of 1776 the military force, which had been maintained in the Illinois was removed, and the commandant in charge appointed as British agent Philippe de Rastel, Chevalier de Rocheblave. The choice was a wise one. Rocheblave had had a long and varied experience in the West, had served as an officer in the French army during the French and Indian War, and at the conclusion of peace had taken refuge, as did many other Frenchmen, under the Spanish flag. He was entrusted with the government of Ste. Genevieve, but having become involved in legal difficulties with the Spanish officials, he returned to the British bank. The exact date of his return is uncertain, but the proceedings against him in the Spanish court occurred in October, 1773, so that he could have been at longest a little over two years in British Illinois, when he received his appointment to look after the British interests in the western country. In his various undertakings he had proved himself bold and resourceful, avaricious and not too scrupulous in his methods, and by nature suspicious. He knew well the nature of the French inhabitants, and had a dislike and deep-seated suspicion of the Spaniards. His ambition was such as to lead him to give his best service to his employers, and they in turn had confidence in his abilities and willingness to serve them. On August 13, 1777, Carleton wrote that "his abilities and knowledge of that part of the country recommended him to me as a fit person."[1] Hamilton says of him, "I shall in my correspondence with Mr. de Rocheblave keep alive the hopes of his being Governor of New Orleans — a more active and intelligent Person is not to be found in This Country of ignorant Bigots, and busy rebels, and had he the means I doubt not of his curbing their insolence and disaffection."[2] The intimation in Hamilton's letter was correct enough; for, although the inhabitants treated Roche-

[1] Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collections*, iv., 395.

[2] *Can. Archives*, Q., 14, p. 74.

blave as commandant and judge, his powers as agent were too limited and the money allowed him insufficient to enable him to accomplish what he saw was necessary for the British cause. Time and again he was informed that he could only draw for his salary and that his expenses were to be met by the sums which the commandant at Vincennes could allow him.[1]

By what law other officials were exercising civil powers in the Illinois does not appear from the records, but the existence of such is proved from their acts. There were at Cahokia, St. Philippe, Kaskaskia, and Prairie du Rocher officers styling themselves judges, who put in execution the decrees of the commandant. Since at the same time these judges were captains of the militia, it is probable that the French official with similar duties was retained by the British officers. Besides this judge or captain there were a sergeant and a notary in each of the districts of Cahokia and Kaskaskia.[2]

The foregoing description of conditions in British Illinois would be far from complete without an account of one very important element of the society. No sooner had the news gone forth that the land to the north of the Ohio River had been ceded to England by the French than the merchants of the seaboard colonies began to compete for the fur-trade of the region in a way that had been impossible hitherto. Up to this time the principal trade in the Illinois had been conducted by Canadian and Louisiana merchants, the English colonists having found their way north of the Ohio only just previous to the outbreak of the last war. But now the opportunity was opened to the eastern merchants and they eagerly seized upon it, thus bringing on a commercial war for the trade of the Ohio and the Mississippi. In this the merchants of the English colonies had one decided advantage, since they could deliver goods at the villages of the Illinois cheaper than

[1] The most important documents in the *Haldimand Collection* concerning Rocheblave have been printed by Mason in Chi. Hist. Soc's *Col.* iv. Others have been published in *Mich. Pioneer and Hist. Col.* vols. iii., v., vii., and ix.

[2] The subject of the British administration is now under investigation and in the course of time something definite will be said about it. For the above facts I have drawn on the *Kas. Rec.*

the same could be purchased and brought by way of the lakes and the Wabash or up the Mississippi.[1]

The British soldiers were hardly established in Fort de Chartres before the merchants who made their starting place Fort Pitt had arrived. Among the first was one who was to exercise great influence on the development of the Illinois, George Morgan, who like the majority of traders from the East came from Philadelphia. He had been educated at Princeton and had then entered the firm of the Bayntons, which became better known in the West under its later name of Baynton, Wharton & Morgan.[2] Although young, by his enthusiasm he had persuaded his partners to embark on western trade and land speculation, and they established branch stores at Kaskaskia, Cahokia, and Vincennes. Other firms also entered into competition, such as the firm of Franks & Company of London and Philadelphia, whose representative, William Murray, was a little later than Morgan in reaching the Illinois. About the same time an Englishman, who claimed Manchac in Mississippi as his home, established the firm of Bentley & Company. These and other companies brought with them many agents, clerks, and hunters, so that the list of names of men of English speech in the region became a long one. In 1768 Morgan writes that there were sixty Englishmen in a militia company which had been formed. Among them were many names which will be mentioned in the following pages. John Henson was the representative of Baynton, Wharton & Morgan at Cahokia, Richard Winston set up in business for himself in partnership with Patrick Kennedy, and the firm became later the representative of Morgan's interests at Kaskaskia; Richard Bacon served Morgan in his farming enterprise; others,

[1] Fraser's *Report*, MS. copy in public library of Champaign, Ill.; Smith, *St. Clair Papers*, ii., 175; *Letter-Book of George Morgan*, 1767–1768. This last belongs to Mr. A. S. M. Morgan of Pittsburgh, Pa., who kindly loaned it to me. A copy may be found in the Ill. State Hist. Library. See also Franz, *Die Kolonisation des Mississippitales*, 268 *et seq.* The cost of transportation up the Mississippi was, however, cheaper. Collot, *Voyage dans L'Amerique*, ii., 263. Lieutentant Hutchins in an enclosuse in a letter of General Gage's, October 11, 1771, and Captain Forbes in an undated letter affirm the contrary to the statement in the text; but Colonel Wilkins disagrees with them and confirms the experience of the trader, George Morgan. The letters are found in the *Bancroft Collection of MSS.*, Lennox Library, N. Y.

[2] *Letter-Book of George Morgan;* Julia Morgan Harding, *Colonel George Morgan*, a paper read before the Washington (Pa.) Co. Hist. Soc. and printed in the *Washington Observer*, May 21, 1904.

either men attached to one of the firms or independent traders, were Daniel Murray, brother of William, James Rumsey, Thomas Collins, Thomas Brady, and Richard McCarty. In the first years of the British rule it looked as if the Ohio River would become the great trade route of the region and supplant the older and, with the French, more popular waterways to New Orleans and Canada.[1] Even the British government seems to have approved at first this attempt to turn aside the trade from its older channels, for in 1769 the colonial governments were empowered to appoint officers to superintend the Indian trade, and Fort Pitt and the Illinois were assigned to Pennsylvania.[2] Thus the Indians north of the Ohio became accustomed to Fort Pitt as the seat of authority in matters in which they were vitally interested.

The fur-trade was not the only inducement to draw the American colonists to the banks of the Mississippi, for from the first the opportunity to speculate in lands was a rival attraction. Land traders were early interested in the territory at the head-waters of the Ohio and soon found their way down the river. In this movement some of the most prominent men in America were interested, such as George Washington, Lord Dunmore, and the Franklins, father and son. The Illinois lands offered equal attractions and early became an object of speculation, in spite of the Edict of 1763 prohibiting settlements in the region. It is impossible to enter into the complicated questions connected with the attempt to open up Illinois by making it a new colony.[3] It is sufficient to know that many prominent men were connected with all such schemes, and that while William Franklin, Sir William Johnson, Samuel Wharton, and others were seeking for a charter for the Illinois colony and Benjamin Franklin was employing his powers to persuade the British government to grant the same, there was formed in March, 1766, a company for the

[1] The evidence for this is found in the *Letter-Book* of George Morgan and the *Kas. Rec.*; see also Moses, *Court of Inquiry*, Chi. Hist. Soc's *Col.*, iv.

[2] N. Y. State Library *Bulletin* No. 58, *Cal. of Council Minutes*, letter of General Gage, March 29, 1769.

[3] See Alden, *New Governments west of the Alleghanies before* 1780.

purchase of land near the French villages, of which George Morgan was the representative in the Illinois. Although several strips of land were bought, nothing of any moment was accomplished by this company.[1] However, another known as the Illinois Land Company, most of the members of which were Philadelphians, acquired in 1773 through its representative, William Murray, two large tracts, one situated on the Illinois River and the other south of Kaskaskia on the Ohio. Two years later, the Wabash Land Company, the members of which lived for the most part in Maryland, purchased through its representative, the Kaskaskian Louis Viviat, an associate of Murray, two tracts on the Wabash, one above and the other below Vincennes. Since both purchases were made from the Indians and contrary to the Edict of 1763, they were not allowed by the British government and were annulled by General Gage.[2] When the American Revolution broke out, most of the purchasers sided with the colonists and looked to the success of their cause to further the enterprise in the West.

Although there was at times considerable complaint against the British commandants by the merchants and land-traders, these were generally favored more than the French inhabitants or the Canadians, until the passage of the Quebec Act in 1774, which united the Illinois territory with the province of Quebec and annulled any special favors and privileges which the merchants from the East may have enjoyed. This act and the canceling of the land purchases, which proved the intention of the British government to carry out the principles enunciated in the Edict of 1763, were discouraging to the enterprises of the repre-

[1] The purchases of several pieces of land and the grants of others by Colonel Wilkins, commandant, were recorded in the record-book of the district. (*Kas. Rec.*) The agreement creating the land company is in the library of the Hist. Soc. of Pennsylvania. The original members were William Franklin, Sir William Johnson, George Croghan, John Baynton, Samuel Wharton, George Morgan, Joseph Wharton, Joseph Wharton, Jr., John Hughes, and Joseph Galloway. The firm of Baynton, Wharton & Morgan received a concession of a large tract of land in the American Bottom from Colonel Wilkins in 1769. This claim passed into the hands of John Edgar, was confirmed by Governor St. Clair, but was rejected by the land commissioners of the U.S. *Amer. State Pap., Pub. Lands*, ii., 206.

[2] The best account of the Illinois and the Wabash Land companies is contained in a pamphlet published in Philadelphia in 1796 with the title, *Account of the Proceedings of the Illinois and Ouabache Land companies*. Other memorials were printed in later years, some of which may be found in *Amer. State Pap., Pub. Lands*, vols. i and ii, the longest in vol. ii., 108 *et seq*. For the later history of the two companies see *post* p. lxx.

sentatives of the Eastern colonies, and from that date their number in the Illinois began to decline and trade turned back to the older channels. The next men of English speech to compete with the Spanish and French merchants for this western trade were representatives of the new British Canadian houses which sprang up after Canada was ceded to Great Britain. When it is remembered that the persons back of this attempt to capture for the East the trade of the old Northwest and to exploit that territory through their colonizing schemes were some of the most important merchants and professional men in the seaboard colonies, one cause of the opposition among the Easterners to the Quebec Act is easily understood.[1]

The entrance of the American colonists into the Illinois had two results, one immediate and the other more remote. The trade had brought into the French villages several men of English speech, who for one cause or another determined to remain; and their presence made possible continual correspondence between the West and the colonial revolutionists; and at the same time they prepared the minds of the French to receive any company of American soldiers who might undertake the conquest of the country. The second result was apparent only later. The men who had been foiled in their attempt to secure the trade of the old Northwest and to acquire its land for colonization were not willing to accept the decision of the Quebec Act as final, and were prepared to renew the attempt at the first opportunity with the chance of greater success.

Rocheblave had been appointed agent for the British a year after the outbreak of the American Revolution, and from the first he had trouble with the Americans who remained in the villages and who generally sympathized with the cause of independence.

[1] For a discussion of the Quebec Act see Coffin, *The Province of Quebec and the Early American Revolution*. The decreased number of Americans from the eastern colonies is proved by a careful study of the names appearing in the records. Some of the more important men are known to have left. Morgan left before 1774, probably in 1770, but his firm still continued to conduct business in the Illinois until about 1774. William Murray left the country in 1776; James Rumsey must have left shortly before. The Canadian merchants began to appear in 1777, at least that is the date of the first appearance of a representative of any of the new Scotch firms of Canada which in time controlled the western fur-trade. After the close of the American Revolution they came in great numbers. See *post* p. cxlvii.; J. Bte. Perrault's *Narrative*, in Schoolcraft, *Indian Antiquities*, pt. 3.

It is difficult to decide to-day where justice lay in the constant disputes between the two parties, for the endless recriminations which they hurled at each other were surcharged with personal hatred and irreconcilable hostility.

The first cause of dispute grew out of the trade with the Indians. Every government in the West has been forced sooner or later to attempt to regulate the sale of liquor to the natives, since one of the chief dangers to the small frontier community comes from intoxicated savages. Since Rocheblave was without authority, he was obliged to use other means than prohibition to regulate this dangerous trade; and no better method could have been devised than that he used. In a community practically without government like that of the Illinois, public opinion alone could be called into play to prevent an evil which endangered the lives of all alike. One of the first acts of Rocheblave was to call an assembly of the inhabitants on April 17, 1776, to discuss among other matters, all questions concerning their relations with the Indians. It was decided that, since some savages made war on the English and some on the French and since both realized that they were under one government and were all brothers and must hold together, the assembly of the inhabitants should regulate the trade with the savages from time to time. The people also agreed on their honor not to give to the Indians any intoxicating liquor, and to assemble under arms when the commandant gave the signal. At the same assembly it was determined that, if any one refused to pay just debts, the inhabitants would give their assistance to the government to enforce such payment. The agreement was signed by all the prominent Frenchmen of the villages, but by only one Englishman, Daniel Murray.[1] Later this agreement was made the subject of reproach against Rocheblave by one of the English merchants, Bentley, who was most bitterly opposed to the acting commandant. If Rocheblave's charges are to be believed, Bentley and his associates were the chief offenders in the sale of liquor to the Indians.[2]

[1] *Kas. Rec. Court Record*, p. 82.

[2] Bentley made similar charges against Rocheblave and accused him of injustice and tyranny. Rocheblave presented his case before a court, composed of the militia

It was not the liquor traffic, however, which caused the greatest difficulties between the British agent, and the English-speaking inhabitants of the Illinois. On account of the war for independence carried on by the seaboard colonies against the mother country, the western territory became the center of many activities directed against England, of which Rocheblave kept himself well informed, but against which he was able to do little on account of the apathy of the British government. Across the river lay the Spanish posts, which, since the appointment of Galvez as governor of Spanish Louisiana, had become the seat of intrigues against England; for the Spanish officials of America were rather quicker in perceiving the advantages which might be gained by Spain from the rupture between England and her colonies than was the home government, and they committed many overt acts against England before actual war was declared by Spain. From St. Louis and New Orleans the Americans received very substantial aid. At the latter city was Oliver Pollock, who was the American agent and was on the best of terms with the governor. From Fort Pitt boats were sent to New Orleans for supplies of all kinds and these boats were even harbored in St. Louis, opposite the British Illinois.[1]

The English-speaking merchants of Kaskaskia participated in these acts against England and maintained their intercourse with the eastern leaders in spite of the watchfulness of Rocheblave. Bentley and others traded almost openly with the rebels. When William Linn went to New Orleans to obtain powder and other supplies for the Americans, Bentley met him on the Ohio River and sold him powder. It was also known that he sent a boat to Kentucky for the same purpose.[2] The chief representative

captains of Kaskaskia, Prairie du Rocher and St. Philippe, which heard evidence on all the charges brought against the acting commandant by Bentley and acquitted him on every count. The known duplicity of Bentley at a later period makes his testimony more than doubtful. *Kas. Rec. Court Record*, fol. 100 *et seq.*; *Mich. Pio. and Hist. Col.* xix., 324; *Ill. Hist. Col.*, i., 295.

[1] Winsor, *The Westward Movement*, 108; Gayarré, *Hist. of Louisiana*, iii., 109; Rocheblave to Hamilton, May 8, 1777, enclosed in *Can. Archives*, Q., 14, p. 51; Rocheblave to Haldimand, November 9, 1780, *Ibid.* B., 122, p. 545; letter of Rocheblave, February 28, 1778, *Ibid*, Q., 15, p. 106; Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collection*, iv., 389, 393, 402, 407; Morgan to George Clymer, March 2, 1778, *Papers of Old Cong.*, xv., 317.

[2] In the court appointed by Rocheblave to investigate charges against himself made by Bentley, several Americans and Frenchmen, who were lukewarm in their support of the

of the American cause in the West was George Morgan, who in 1776 was appointed agent under the commissioners for Indian affairs in the middle department and made his headquarters at Fort Pitt.[1] His intimate knowledge of the West and his many friends among the French and Indians made his selection a wise one; and he was able to make some opposition to the activities of Hamilton, the lieutenant-governor of Detroit. Morgan maintained his relations with his agents in Kaskaskia, Winston and Kennedy, and with other correspondents at Detroit and elsewhere.[2] In a letter written in July, 1776, he says: "I am now here on Public Business for the United Colonies. I want to know the exact situation of affairs at the Illinois & what Quantity of flour & beef you could furnish a company or two of men with at Kaskaskia the 25th of next December. This I will depend on you for by the return of Silver Heels who ought to be at Pittsburg as early in September as possible as there is a great treaty to be held in that month with all the western Nations. If one of you could come along with him it may be much to your advantage, but you should be very secret with respect to your Business." There follows an order for horses and the letter ends with a repetition of his request that one of the partners meet him in Pittsburg.[3] It is difficult to determine whether the letter is more than a business letter or not. The company of men may refer to some commercial enterprise that was contemplated; but Congress had determined in the previous April to send an expedition against Detroit and there may have been in the writer's plans a similar one against the Illinois.[4]

commandant, testified concerning the intercourse between the East and the Illinois. (*Kas. Rec., Court Record*) Bentley's defense may be found in the documents from the *Haldimand Collections* printed in *Mich. Pio. and Hist. Col.* xix., 321 *et seq.* and *Ill. Hist. Col.*, i., 295 *et seq.* For Linn's expedition see Hall, *Romance of the West.*

[1] Winsor, *Westward Movement*, 90.

[2] In a letter from Rocheblave to Hamilton, May 8, 1777, occurs the following: "It has occurred to me to tell you that the spy, named Elliot, whom you have had arrested at Detroit, was the bearer of a letter from George Morgan, commissioner for Congress and general director of the undertakings which are made from Fort Pitt against here, to Richard Winston, a very zealous partisan of the same cause." (Letter enclosed in *Can. Archives*, Q., vol. 14, p. 74. See also letter quoted below.) There are scattered references to Morgan in the *Kas. Rec.* Very late in my investigations I learned that there were three letter-books of George Morgan in the Carnegie library of Pittsburg, Pa. I made every effort to have search made in them for material, which would throw light on Morgan's activities in the West. Through the fault of no one, but rather on account of the shortness of the time, I was unsuccessful.

[3] *Can. Archives*, B., 185, pt. 2, p. 540.

[4] *Journal of Cont. Cong.*, Lib. of Cong. ed., iv., 318.

Whatever Morgan's plans may have been, there can be no doubt about the belief of the English-speaking traders in the Illinois; for they were expecting that he would soon bring about such an expedition. They talked of this openly among themselves and spoke of the power of the colonies to the French, to whom they pointed out the advantages of a change of alliance. When William Murray left Kaskaskia in the year 1776, he instructed his brother Daniel to furnish any American troops, who might come, with the supplies they should need; and later he sent word from New Orleans by Colonel George Gibson, to the same effect; instructions which Daniel carried out, when George Rogers Clark arrived in 1778. On June 7, 1778, Richard McCarty of Cahokia wrote to John Askins of Michillimackinac: "It is said that Morgan was to be here with 600 men last winter, but very likely he has something else to do."[1]

In the midst of these intrigues Rocheblave was not strong enough to do more than to memorialize the government at Quebec. Even when he had proved against Bentley the charge of selling goods to the colonies, he did not dare to arrest him in Kaskaskia,[2] for although at the beginning of his administration he had been able to unite all the French in his support, there had developed two parties, one of which showed signs of opposing him. The American merchants had not lived so many years in the villages of the Illinois without making friends among the French, nor were the latter wholly without longings for liberty and aspirations for greater independence. It was only eight years before this that they had commissioned their friend and neighbor, Daniel Bloüin, to present to the British government their wishes for a civil establishment to replace the military tyranny from which they suffered.[3] That movement had caused excited discussions

[1] *Kas. Rec., Court Record*, fol. 100 *et seq;* Murray's instructions to his brother may be found in a memorial by Daniel Murray, *Va. State Papers*, ii., 675; McCarty's letter in *Can. Archives*, B., 97, vol. i., p. 6.

[2] Bentley was arrested at Michillimackinac and carried to Quebec, where he was kept in confinement until his escape in 1780, when he returned to Illinois to take his revenge, as the later narrative will tell. See *post*, p. cxlv. The more important papers in regard to the arrest of Bentley have been published in the *Mich. Pioneer and Hist. Col.*, xix., 321 *et seq.* His intercourse with the Kentuckians is further proved by the fact that Clark made efforts to have Bentley exchanged, Clark to Lernoult, March 16, 1779, *Ill. Hist. Col.*, i., 415.

[3] Mason, *Chapters from Illinois Hist.*, 281. Much new material on this event has been discovered, which will be made known in time.

in the villages at the time, and most of the French could recall the principles, without doubt largely inspired by the Eastern traders among them, for which they had then struggled.

It is true that these same villagers later told Clark that they had not understood the cause for which the colonies were fighting. But this was given as an excuse for not having joined the American cause earlier, for they certainly were not so ignorant nor so artless as they chose to appear to the leader of an army of backwoodsmen. Many had seen the broadsides sent by the Americans to Canada. Their intercourse through trade with Kentucky and Fort Pitt had brought the knowledge to others, and such men as Winston, Kennedy, and the Murrays had been preaching the joys of independence for years. Many of the French were also warm friends and admirers of that enthusiast for the American cause, George Morgan. It is, therefore, not strange that many gave Rocheblave a half-hearted support, although they were not ready to come out openly on the side of the American agents.[1] Among these more or less disaffected Frenchmen must be counted some of the most important men of the communities, such as Father Gibault, the Charlevilles, the Bauvais, Bienvenus, Lafont, Duplasy and Janis of Kaskaskia, and J. Bte. Barbau, who controlled Prairie du Rocher. How Rocheblave was regarded at Cahokia is not known. The captains of militia, Joseph Cesirre and François Trottier, had not chosen to participate in the court, which the acting commandant called to clear himself of the charges made by Bentley; but this may have been due to hindrances rather than choice. The men composing this party were among the most intelligent of the villagers; they had all given their support to the demand for the civil government from the British in 1770, and among them were the officers of the militia, as Duplasy, Janis, and Barbau.

[1] The above analysis of the conditions in Illinois in the year 1778 is based upon hints from many sources and events which followed the arrival of George Rogers Clark, so that it is impossible to refer to any one document or group of documents as proof. The statement of the French to Clark in regard to their ignorance of the cause of the struggle is in Clark's letter to Mason and his *Memoir*, English, *Conquest of the Northwest*, i., 417 and 480. In the *Memoir*, (p. 475) Clark intimates that he found some of the French inclined to the American cause. Cerré, of whom I speak below, is one of the men who claims not to have had the opportunity to understand the cause for which the Americans struggled, but no one can read the letter written him by Monforton on Sept. 22, 1778, without believing that Cerré's

The mass of the *habitants* were probably on the side of the government.[1] Illiterate and unintelligent, they were willing to accept conditions as they found them without attempting to bring about a change; and, besides, obedience to the constituted authorities was part of their nature. There were, however, several of the richest and most prominent Frenchmen upon whom the acting commandant could count, whose loyalty to the British cause and Rocheblave was far stronger than the attachment of their opponents to the opposition. Among these were Gabriel Cerré, Louis Viviat, and Nicolas Lachance of Kaskaskia. Viviat should, perhaps, not be counted at this time, for he died in the fall of 1777; but up to the time of his death, he was one of the most important traders of the region and had been in partnership with William Murray. He was the member of the Wabash Land Company who acted as the agent in the purchase of its claim. He had, however, severed his connection with Murray just previous to his death, because of the acts of Daniel Murray, who was particularly lawless. Throughout the prosecution of Bentley by Rocheblave, Viviat had given the latter his support.[2] Of Lachance little at this time is known except that he was accounted a friend of Rocheblave.[3] Unquestionably the most important member of the government party was Gabriel Cerré. He was forty-four years old and had been in Kaskaskia since 1755. Through his personal wealth and commercial connections, he exercised an influence over the villagers second only to that of the commandant, with whom he was on terms of intimacy. It is quite possible that his trading interests brought him into oppo-

correspondent gave him credit for an intelligent understanding of the claims of the two parties. (*Can. Archives*, B., 122, p. 161.) Daniel Murray in writing to Bentley on May 25, 1777, gives the following proof of the existence of parties among the French: "As to your being complained of already to General Carleton you need not dread that, for since your departure Rocheblave drew out a complaint against you and wanted all the principal Inhabitants to sign it which they all absolutely refused to do, particularly the Charlevilles, Bienvenue, Lafont, Plassey, Janist, etc., no doubt but your friends Viviat Cerré Lachance might have done it but they are too few to countenance it when so many refused to do it." (*Mich. Pio. and Hist. Col.*, xix., 417.) Scattered through the *Court Record, Kas. Rec.* are other indications of party divisions.

[1] Clark in his *Memoir* says that the majority of the inhabitants were friendly to Cerré, the leader of the British party. English, *Conquest of the Northwest*, i., 485.

[2] *Kas. Rec., Court Record*. See also *supra*, p. xxx.

[3] See *supra*, p. xxxvi., note 1.

sition to the Americans and that self interest bound him to the British side.[1]

Rocheblave never deceived himself in regard to the weakness of his position, and several times urged upon Governor Carleton the appointment of a commandant and the sending to the Illinois of British troops, a recommendation which proves his interest in the cause he upheld and his own disinterestedness. His letters are full of such expressions as these: "I await with the greatest impatience the orders of your excellency, or rather I beg of you to give them to some other person, a native Englishman, in order to escape the too common jealousies of some, who having merely the name, and whose affections are all for the Americans, are seeking to thwart all my efforts, intriguing with our neighbors and poisoning with the venom of their hearts the purest intentions. . . . . All the alarms I have sought to give will be only too well realized. We are upon the eve of seeing here a numerous band of brigands who will establish a chain of communications which will not be easy to break, once formed. If by the schemes of the Spanish the Natchez are conquered, there will be established an armed force in this country. You have no time to lose to prevent this misfortune. If militia can be counted for anything at present a person of discretion with troops would attract more adherents than would be believed. Inclination is in spite of abandonment and distress, still for the government, but it is more than time to revive their drooping courage or all will be lost here."[2] The British government planned at one time to relieve him and appointed, in 1777, Matthew Johnson lieutenant-governor of the Illinois; but for some reason he never went to his post,[3] and Rocheblave was compelled to face the event concerning which he had given so frequent warnings, and to learn that the party of his opponents was stronger in a crisis than his own.

[1] For an account of Cerré, see p. xx., note 2.

[2] Rocheblave to Carleton, July 4, 1778, translated in Mason, *Rocheblave Papers*, Chi. Hist. Soc.'s. *Collections*, iv., 416.

[3] *Can. Archives*, B., vol. 46, p. 95. From Murray's letter to Bentley, May 25, 1777, it is learned that the new governor was expected at Kaskaskia, *Mich. Pio. and Hist. Col.*, xix., 417.

The American attack on the villages of the Illinois did not come about in the way that the inhabitants and Rocheblave had anticipated. They had been led to look for an expedition sent by the united colonies and directed by George Morgan against the whole line of posts extending from Detroit to Kaskaskia; but what actually occurred was that one of the revolting states, Virginia, sent an isolated detachment under a pioneer of Kentucky to revenge the British and Indian attacks on her frontiers.[1] The immediate occasion of this expedition was the rapid colonization of Kentucky during the last four years, and the danger to the new settlements from the detachments of Indians sent by Lieutenant Governor Hamilton of Detroit. To the Kentuckians the whole territory north of the Ohio River appeared the breeding ground of these Indian incursions into their territory. The conception of an attack upon the Illinois was due to the genius of one man, George Rogers Clark, who clearly perceived that the holding of Kentucky depended on checking the British power to the north. He laid his plan before the governor and council of Virginia, by whom it was approved.[2] He then proceeded to raise his troops, keeping the destination of the expedition as secret as possible. Had he taken into consultation George Morgan or some of the men associated with him, he could easily have put himself into communication with the American party in the Illinois. On account of this silence he never fully understood the conditions existing in the French villages. He had preferred to work by himself and had collected his own information. In 1777 he had sent two spies, S. More and B. Linn, to Kaskaskia to investigate the situation. They remained in the villages some time, giving themselves out as hunters; but they failed to get into communication with the leaders of the opposition to Rocheblave, because Clark had not informed even his spies of his

[1] See the statement of the people of Cahokia concerning their idea of Clark's troops, this volume, p. 539. I have found no evidence that George Morgan had any knowledge of Clark's undertaking.

[2] This is not the place for an account of military actions, nor have I considered it necessary to repeat what is contained in Clark's own narratives, which have been so frequently exploited by historians and novelists that they are very familiar. His *Letter to Mason* and his *Memoir* have been printed in English, *Conquest of the Northwest*, i., 411 *et seq.*

purpose.[1] It was evidently expected by the American traders of Kaskaskia that they would learn something from these Kentucky hunters, for Bentley, who was absent, wrote to Murray concerning them; but the latter answered: "As to the hunters you write of there is three of them, one of them was here before, his name Benjm Lynn, but they bring no news that I can hear of worth reporting."[2] According to Clark's account of their investigation given to Patrick Henry, the governor of Virginia, they reported that: "The principal inhabitants are entirely against the American cause, and look on us as notorious rebels that ought to be subdued at any rate, but I don't doubt but after being acquainted with the cause they would become good friends to it."[3] There has been preserved, however, another account according to which they reported that there were: "Strong traces of affection for the Americans, among some of the inhabitants."[4] There is also a tradition that Linn was warned by a trader of an attack planned by some Indians against himself and companion.[5]

The history of Clark's journey down the Ohio, of his landing near Fort Massac, and of the march across the prairies is so well known that it need not be retold; but the events occurring at Kaskaskia which made his success possible are less familiar. The states had sent down the Mississippi, in the spring of the year, an expedition under Willing to make attacks on the British posts in the south. The course of this expedition, Rocheblave had followed with interest and, as he heard of the depredations Willing made upon property, he published the accounts to the villagers in order to cause them to fear for their own.[6] When he learned that another expedition was on the Ohio directed against the Illinois, he connected it with the Willing raid and saw in it an attempt on the part of the Americans to gain control of the whole stretch

[1] Letter by Clark, *Amer. Hist. Rev.*, viii., 492.

[2] Murray to Bentley, May 25, 1777, *Mich. Pio. and Hist. Col.*, xix., 417. There is a slight mistake in the date given by Clark who says he sent them in June.

[3] Letter by Clark, *Amer. Hist. Rev.*, viii., 492.

[4] Butler, *History of Kentucky*, 46.

[5] Tradition preserved in Linn's family, *Dr. MSS.*, 18J51.

[6] Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collections*, iv., 408, 410, 412 *et seq.*

of the river. This news of the approach of Clark did not reach him much before that officer was at the falls and possibly not before he had landed at Massac creek. Rocheblave immediately ordered out the militia to make preparations for resistance; but he soon learned the strength of the party opposed to him, for the American traders in Kaskaskia either persuaded the inhabitants not to attempt repelling the invaders, and in this they were aided by the Spanish emissaries, or else they quieted the fears of an attack. Whatever occurred, Rocheblave found that he could accomplish nothing, for his government was by persuasion rather than by command, and the militia officers were members of the party that gave lukewarm support to the British and was half inclined to the American cause. Unfortunately for Rocheblave, his chief supporters were not with him at this crisis; Viviat had died in the preceding fall, Lachance had recently been taken prisoner,[1] and Cerré had just started with some furs for Michillimackinac. Hoping that the sight of a reinforcement coming to their assistance might arouse the inhabitants, Rocheblave sent a messenger to summon the militia from Vincennes; and M. Legras actually started with forty men from that village to assist Kaskaskia. The message had come too late, however, for Clark landed at Massac creek, marched across country, and cut off any help which might be rendered from the Wabash. Thus the crisis, which Rocheblave had been prophesying, arrived, and he found himself unable to make any resistance.[2]

[1] Rocheblave to Bosseron, April 25, 1778, Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collections*, iv., 408.

[2] The above account is an attempt to explain in the light of the knowledge of conditions just previous to the attack the following passage in a letter from Rocheblave to Carleton, dated April 3 [evidently miscopied for August 3], 1778. The translation is from Mason, *Rocheblave Papers*, Chi. Hist. Soc.'s *Collections*, iv., 418. "Sir: I steal a moment from my guards in order to have the honor of informing your excellency that the night of the fifth or [and?] sixth of July last three hundred rebels under the orders of Mr. Clerke [*sic*], the self-styled Colonel, arrived here where they have made me prisoner.

"The majority of the inhabitants knowing the manœuvres which had occurred in the lower part of the Mississippi were resolved to defend themselves, but the dealings of our neighbors, the Spaniards, and the abuse of the treacherous English, especially those named Daniel Murray, Richard Winston, and John Hanson, prevented them from doing it. There remained to me for a resource Mr. Legras, who prepared himself with forty men to come and join me from Fort Vincennes, where he is a captain of militia, but the rebels having landed on the beautiful river [Ohio], sixty leagues from here, crossed the neck of land which separates that river from this place, and prevented that. I regret so much the more that he did not arrive, as a number of men on seeing me supported would have joined themselves to us, and we would have been able to hold the balance of affairs in opposition to those who were desti-

Whether Clark and the American traders of Kaskaskia communicated with each other before the attack in the night of July 4th and 5th, is very doubtful. We have seen that, before setting out from Fort Pitt, Clark knew of no party in the village that was ready to give him assistance; but he may have heard of the American partisans from that party of hunters, just from Kaskaskia, who met him at the Tennessee River, although from his own account their information was anything but reassuring; or Murray and his associates may have communicated with him as soon as he approached the village. There is some slight evidence that the capture of the village was made less difficult by the aid of some of the inhabitants; for Clark seems to have found no trouble in procuring boats to convey his troops across the Kaskaskia River;[1] and, if the tradition is trustworthy, his soldiers were admitted to the fort and guided to the bedchamber of Rocheblave by a Pennsylvanian, who may have been Daniel Murray.[2] Clark himself says that provisions were

tute and in extremities." In 1780 Rocheblave gave a similar explanation of his failure to defend the Illinois, *Can. Archives*, B., 122, p. 545.

Since Clark himself says "that they had some suspicion of being attacked and had made some preparations — keeping out spies — but they, making no discoveries, had got off their guard" (Letter to Mason, English, *Conquest of the Northwest*, i., 416) and, "we were informed that the people, a few days before, were under arms, but had concluded that the cause of the alarm was without foundation, and that at that time there was a great number of men in town, but that the Indians had generally left it, and at present all was quiet" (*Ibid* p. 476), there appears to be no good reason for rejecting the testimony of Rocheblave. It is to be noticed also that the Cahokians write as if the Kaskaskians chose not to defend their village. See *post*, p. 537. The chief difficulty in reconciling Rocheblave's account with other known facts lies in his own letter of July 4th, which gives a long narrative of the depredations of the Willing expedition on the southern Mississippi and only makes a brief mention of the expected attack on Kaskaskia i. e., "We are upon the eve of having here a numerous band of brigands."

Historians have followed too exclusively and uncritically the narratives of Clark, who was fond of the dramatic, not to say the melodramatic, and who never hesitated to omit details which would affect what he regarded as the dramatic *dénouement*. Like other frontiersmen he never underestimated his own deeds, and after a careful comparison of the letter to Mason with the Memoir, one is forced to believe that he was given to exaggeration. Therefore it is not surprising that he did not make more of the persons and conditions which made the occupation of Kaskaskia easy and that he emphasized the surprise of the place, since that appealed to his dramatic instincts. Mason in his paper on Philippe Rocheblave (Chi. Hist. Soc.'s *Collections*, iv., 373) uses the letter quoted above, but does not attempt to give any explanation of it. I have not noticed an attempt to explain this letter by any other historian of this event. See Winsor, *Nar. and Crit. Hist.*, vi., 719; English, *Conquest of the Northwest*, i., 168; Roosevelt, *Winning of the West*, Pt. ii., ch. iv.

[1] He says, "We marched after night to a farm that was on the same side of the river, about a mile above the town, took the family prisoners, and found plenty of boats to cross in, and in two hours transported ourselves to the other shore with the greatest silence." (Letter to Mason, English, *Conquest of the Northwest*, i., 416.) If he really found these boats on the east bank of the Kaskaskia, how did they happen to be there, since very few people were living on that bank at the time?

[2] Reynolds, *Pioneer History*, 73. The passage is: "An American, a native of Pennsylvania, was there in the Fort and conducted Kenton and his small party into the Fort by a

collected for his troops by Murray and Winston during the night.[1]

It is evident from the narratives of Clark and Bowman and from the letters of Rocheblave that the inhabitants and the commandant himself had not expected the attack so soon. On the day before the attack Rocheblave wrote to Carleton: "We are upon the eve of seeing here a numerous band of brigands,"[2] but the whole tone of the letter proves that by the "eve" he did not mean that very night. In the letter sent after the capture of the village, he writes as if he had expected that there was plenty of time to send to Vincennes for aid, after he had learned of Clark's movements; and as if he had been disappointed in his hope of assistance, because the Virginians had made a forced march by land. This looks as if he had expected the party to take the customary route down the Ohio and up the Mississippi. If Clark had followed this course, the time would have been ample for Rocheblave to obtain reinforcements from Vincennes.[3]

What the feelings of the majority of the French people were when they heard the warwhoop of the frontiersmen in their village streets, can be easily imagined. Since the time of the attack was a surprise and the less intelligent French had been taught to believe the worst of the "Big Knives," the first fear of the majority has probably been correctly depicted by Clark. Many of the more intelligent, who had supported Rocheblave, must have felt terror at hearing the noise and have had misgivings of the future, which would place in power Murray, Winston, and Kennedy, whom they had learned to regard as their enemies. Others, like Father Gibault, who were acquainted with the hostility of the Protestant East to the Roman Catholic Church, feared perhaps that the freedom of worship might be denied them. After all allowance has been made for such causes as these and

small back gate..... The Pennsylvanian was true to liberty and conducted them to the very bedchamber of the sleeping Governor, Rocheblave."

[1] In his *Memoir*, English, *Conquest of the Northwest*, i., 478.

[2] Rocheblave to Carleton, July 4, 1778, Mason, *Rocheblave Papers*, Chi. Hist. Soc.'s *Collections*, iv., 416.

[3] See letter quoted on p. xli., note 2.

the suddenness of the attack, Clark's narrative of the abject terror of the French people still appears somewhat exaggerated. They were without doubt timid, but they were not poltroons. Besides, they saw several familiar faces among the Virginians, some of whom had been in Kaskaskia, and others they had met on trading trips.

The party strife of the village broke out in Clark's headquarters on the very night of the attack. The closest adherent of Rocheblave's faction, Gabriel Cerré, was absent from the village, and his enemies tried to win the favor of Clark by making accusations against him; but Clark was not deceived. He recognized that his position was critical. He was in an alien community and had only a small body of troops with which to hold the people in check. Under such circumstances he could not afford to drive the leader of such a strong party from him. How important he regarded the winning of the support of Cerré and his party is proved by the space he devotes in his *Memoir* to an account of his relations with this leader.[1] He finally confronted Cerré with his accusers, and the latter were afraid to repeat their charges. By this diplomatic conduct he won over the man who could bind the discordant elements in the villages to his side.

The chief means used by Clark to gain the good will of the French at this critical time were the French treaty and the cry of liberty. We have already seen that the words liberty and independence were not wholly unknown in these regions. To assert that the movement which was growing in France and which was in eleven years to break out in the French Revolution was without effect on the banks of the Mississippi would be taking too much for granted. The best of these men were educated and traveled to New Orleans and Quebec, and what was talked of there was repeated by the firesides of the Illinois. Only ten years before their friends of New Orleans were in revolt against Spanish tyranny,[2] when the word liberty became a household term; and two years later the French of the Illinois were making use of the

[1] English, *Conquest of the Northwest*, i., pp 477, 478, 481, 484–486.

[2] Phelps, *Louisiana*, 113

same word in their struggle with Colonel Wilkins.[1] The traders from the East had been full of similar ideas during the past few years. Liberty and independence were words with which to fire the imaginations of the French and to make them dream of things to come.

The French treaty was Clark's trump card in the game he was playing; for the word France awakened in the minds of the Kaskaskians memories of days gone by, always more joyous than the days of present hardship,—those days when the lilies of France waved over the forts of the Illinois. France is a name of wonderful meaning to Frenchmen of all times. The people of Illinois felt its charm and, at a later day, said "when these men once pronounced the name of France, how could they raise their hands against them?"[2] Just previously rumors had been spread up and down the Mississippi that France was coming into her own again, ridiculous reports no doubt spread by those discontented with the British rule, and yet they aroused in the hearts of the French a hope, of which the appearance of Clark seemed a harbinger.

It was not with rifles and swords that Clark won the Illinois, but with the promise of liberty and the alliance with France. These two weapons were all sufficient. Immediately after the occupation of Kaskaskia Clark sent Bowman with a detachment of thirty men to occupy Cahokia, which yielded readily to the same persuasions.[3] Vincennes joined the American cause without even the use of troops, for Father Gibault undertook to persuade the people to submit, which they did after their priest had represented the case to them.[4] In their first enthusiasm the French furnished the Virginians with all their necessities and their need was great, for they had reached Kaskaskia, as the inhabitants of Vincennes said, "half naked like the Arabs."[5] But the spirit

[1] Mason, *Chapters from Illinois History*, 281 *et seq.*

[2] See *post*, p. 537.

[3] Bowman's letters in English, *Conquest of the Northwest*, i., 558 *et seq.*; the Cahokian account in this vol., p. 537.

[4] Clark's Letter to Mason, English, *Conquest of the Northwest*, i., 419.

[5] Inhabitants of Vincennes to De la Balme, *Menard Col., Tard. Papers.*

in which the French received the Americans is best seen in the way they aided in defending the country against the British. In December following the occupation of the Illinois by Clark, Lieutenant Governor Hamilton of Detroit retook Vincennes and threatened the other villages. At no time had Clark's position been so dangerous, for he had neither money nor sufficient troops. With him were only two companies of soldiers, in which some of the French had already enlisted. Since these were too few either to hold his position or to make an attack, he called upon the villages; and two companies of Frenchmen were formed. The merchants of the region raised the necessary money. Clark then made his difficult and dangerous march across the submerged prairies, a march which tried to the utmost the endurance of the men. The conquest of Vincennes and the retention of the whole Northwest for the Americans were the results. More than half of the men who followed him so bravely were inhabitants of the American Bottom.[1] To the French soldiers in Clark's little army as well as to the Virginians belongs the honor of that campaign and its consequences.

After the submission of the villages to him, Clark found himself in command of a large country inhabited by a people who had joined themselves willingly to his cause and to whom he had promised greater liberty than they had hitherto enjoyed. From the first he was called upon to exercise the power of commandant and judge. He continued for a time the custom, followed by the last two British representatives, of appointing arbitrators in all cases of dispute between the inhabitants.[2] This, however, was not in accordance with his own ideas of self-government, which were those of the West generally, nor did his many military duties permit him to give that attention to civil affairs that was required. He therefore made other arrangements. He writes that he

[1] *Va. State Papers*, i., 316; Letter to Mason, English, *Conquest of the Northwest*, i., 437. The expedition against Vincennes was evidently financed by the inhabitants of the French villages, from whom Clark raised $11,102 between December 20th and February 5th. Clark's account against Virginia, in English, *Conquest of the Northwest*, ii., 1054.

[2] *Kas. Rec. Court Record*, fol. 100. Letter by Clark, July 24, 1778, in *Amer. Hist. Rev* viii., 501.

caused: "a court of civil judicature to be established at Cahokia, elected by the people. Major Bowman, to the surprise of the people, held a poll for a magistracy, and was elected and acted as judge of the court. [The policy of Mr. Bowman holding a poll is easily perceived.] After this similar courts were established in the towns of Kaskaskia and Vincent."[1] The title of the court thus founded at Cahokia was the "Court of the Committee of Cahokia," and a few pages of the records of its sessions have been preserved and are printed in this volume.[2] Clark reserved the right of appeal to himself and he adds: "I believe that no people ever had their business done more to their satisfaction than they had through the means of these regulations for a considerable time."[3] By an examination of the few remaining records it is possible to arrive at an approximate date for the founding of these courts. The date of the earliest paper which has been preserved issuing from the court at Cahokia is October 29, 1778.[4] Among the *Kaskaskia Records* is a court record, the last pages of which were used by the clerk of the British government and later by the clerk of the Virginia government for recording deeds and other instruments. The first entry in it after the date of the occupation of Kaskaskia by Clark was made on October 20th. The last direct petition to Clark that exists is dated August 27.[5] Therefore it must be concluded that the courts were established between the last of August and the last of October. But it is possible to make a closer calculation. Since it is probable that an entry was made by the Kaskaskia clerk in his book of record shortly after the machinery of civil government was started, we may take the date October 20th as approximately the date of the establishment of the court at Kaskaskia; and since that at Cahokia was the earlier, the court of that village must have begun

[1] Clark's *Memoir*, English, *Conquest of the Northwest*, i., 484. The sentence in brackets is added from *Dr. MSS.* 47J35.

[2] Pp. 2 *et seq.*

[3] Clark's *Memoir*, in English, *Conquest of the Northwest*, i., 484.

[4] See *post*, p. 2.

[5] See *post*, p. 1

to hear suits about the middle of the same month and possibly a little earlier.[1]

These courts were modeled after the county courts of Virginia, with some modifications. The number of justices sitting at Cahokia was seven, four of whom were necessary for a quorum; the sessions were held weekly; the jurisdiction included both criminal and civil cases; the records of the sessions were kept in English.[2] Since the members of this committee were elected by popular vote, the first election of chief magistrates ever held on the soil of Illinois or of the old Northwest was that at Cahokia in the month of October, in the year 1778.

During the last few years disorder and crime had increased in the Illinois. We have seen how Rocheblave lacked the power to enforce good order and had appealed to public opinion without effect to put an end to the trading in liquor with the Indians. But it was not from the depredations of the Indians only that the people suffered. Members of the slave class, influenced by the disorders of the times, had become insolent and violent, so that the fear of the large population of red and black slaves was widespread, and with good reason, for many murders had recently been committed, for which the slaves were suspected of being responsible. Members of the family of the Nicolle had become sick and died under the most suspicious circumstances, and several sudden deaths of both whites and blacks had occurred which gave every evidence of being caused by poison. To stop further lawlessness by this class, Clark published a very stringent order against the slaves on December 24, 1778, in which he forbade them to walk the streets after sundown without a special permission from their masters, or to assemble for dances at night, under

[1] It is possible that Clark was mistaken about the establishment of a court at Kaskaskia, for among all the records that have been preserved there is not one issuing from such a court, or one that gives direct evidence of the existence of such a court. Moreover there has been preserved a petition, dated February 18, 1779, from a widow in regard to her husband's estate, in which she gives elaborate reasons for not having troubled Colonel Clark during his presence in Kaskaskia, and states that conditions are now such that she must have protection to save her property. Since Clark was away, she applied to the officers of militia of Kaskaskia. These heard her prayer and granted the protection. The act was signed by the officers, but not as members of a court. One name has been torn off, but the others are Joseph Charleville, Richard Winston, Charles Danis, and Charles de Lisle acting for Duplasy. *Kas. Rec., Petitions.*

[2] See record of the court, pp. 4 *et seq.*

penalty of punishment by flogging.[1] All persons were forbidden to sell liquor to slaves. In the court of Cahokia an investigation of the death of the Nicolles was begun. This was not ended until the following June, when it was proved that some slaves, of whom two were particularly guilty, had poisoned a number of whites as well as several negroes.[2]

Of this first experiment in popular government in the Illinois very little can be said, for almost all its records have been destroyed. The character of Clark, the order he preserved or tried to preserve, and the expedition with which justice was administered, no doubt made the government generally popular; still the military power was very evident and at times arbitrary, and the soldiers were becoming unruly. Therefore the French looked forward to the time when a civil government, not so dependent on the military force, should be inaugurated. The people were reasonable, however, and recognized the necessity of these temporary arrangements, and in their first enthusiasm exhibited a tractable and united spirit to their commandant. In justice to Clark it must be said that neither at this time nor later, when there was most just cause to criticise the military force, did the French utter a word of complaint against him, for he had won, not only their esteem, but their affection, so that they never held him responsible for the evils that crowded upon them.

One cause for uneasiness developed very soon among the people. In the first excitement over their change of allegiance and under the influence of that enthusiasm which was aroused by the talk of liberty and independence by Clark and his soldiers, they had been ready to make many sacrifices for the cause they had espoused. At first they gave freely of their goods, and later sold them to the patriots, who had brought them this "priceless gift", and received in return continental paper money, which they were assured by Clark and his officers was equal in value to the Spanish *piastre*, or else drafts on the treasury of Virginia or the Virginia agent at New Orleans, Oliver Pollock.[3] At the time

[1] *Kas. Rec., Court Record*, fol. 132.

[2] The papers in the case are printed in this volume, pp. 13 *et seq*.

[3] Every petition of the French people mentions the fact that they were deceived by the

the paper money was worth about twelve cents on the dollar, and the French were to learn that many of the drafts were worthless. The suspicions of the inhabitants were not aroused until early in 1779, while Clark was absent on the Vincennes expedition. Speculation in continental money was very common throughout the East and every advantage of variation in its value was used by the traders. It is not surprising, therefore, that the story of Clark's dealings in the Illinois were soon known by these men, who, tempted by the opportunity of purchasing goods with continentals at their face value, rushed into the region. They reached the French villages in the early spring of 1779, and in their eagerness to make the utmost use of the opportunity, they bid against each other with the result that the confidence of the French was lost and the value of the paper tumbled.[1] In speaking of this event, Clark says: "There is one circumstance very distressing, that of our own moneys being discredited, to all intents and purposes, by the great number of traders who come here in my absence, each outbidding the other, giving prices unknown in this country by five hundred per cent, by which the people conceived it to be of no value, and both French and Spaniards refused to take a farthing of it. Provision is three times the price it was two months past, and to be got by no other means than my own bonds, goods, and force."[2] There was another reason for the appreciation of the price of supplies. By the arrival of

Virginians in regard to the value of the paper money. See Cahokian Memorial to De la Balme, printed in this vol., p. 547, also page 6; from the memorial of the people of Kaskaskia to the Virginia commissioners, March 1, 1783, is taken the following passage: "But on account of the honest appearance of General Clark and of his officers and because they assured us that they had orders to draw on M. Oliver Pollock, agent of the state of Virginia at New Orleans, there was no difficulty in obtaining all they needed for a specie in current paper, which was scattered in quantities both on this bank and the Spanish at the value of metalic *piastres* of Spain and all our supplies have been sold at the same rate and conditions . . . and since we could not believe that an officer in accordance with his orders would leave us ignorant of the fact that this money was depreciated, we have received it at its intrinsic value." (*Menard Col., Tardiveau Papers.*) In a memorial to the governor of Virginia the same people said: "The suppliants have furnished all the necessary provisions to the troops at a sufficiently moderate price and have been paid with a paper money and letters of exchange which we were assured were equal in value to the Spanish *piastre*." (*Ibid*, memorial dated May 4, 1781.) The people of Vincennes in a petition to the governor of Virginia, June 30, 1781, wrote: "The accredited officers of finance and others have assured us that continental money was of equal value with coin, and we accepted the same in good faith." (*Va. State Papers*, ii., 192.)

[1] See *post*, p. 6.

[2] Clark to the Governor of Virginia, April 29, 1779, in English, *Conquest of the Northwest*, i., 400.

the Virginians all open trade with Canada had been stopped and, since that country was one of the chief sources from which the inhabitants drew their goods and to which they sold their furs, commerce became stagnant and commodities scarce.[1]

The credit of Clark's government was supported at this time by the merchants and traders of Illinois. He says: "Several merchants are now advancing considerable sums of their own property, rather than the service should suffer, by which I am sensible they must lose greatly, unless some method is taken to raise the credit of our coin."[2] The merchants who gave this timely aid to the American cause were Daniel Murray, Winston, Janis, the Charlevilles, the Bauvais, Duplasy, and Bienvenu, of Kaskaskia; Barbau of Prairie du Rocher; Godin, Trottier, Girault, LaCroix, Gratiot, and McCarty of Cahokia; LeGras, Huberdeau and Bosseron of Vincennes, and Vigo with possibly others of St. Louis.[3] The state of Virginia had undertaken more than she could perform, since her treasury was exhausted and her credit gone, so that Clark never received the financial support that he needed; and he and his officers were in time forced to use that expediency which made the Thirty Years War in Germany so frightful, namely that of compelling the people to support them. This last resort had not become necessary in the spring of 1779, at least it was not officially recognized; for the French were still ready to make herculean sacrifices for the cause which they had accepted and to furnish supplies on the doubtful credit of the state; but the time was fast approaching when they would demand a settlement.

[1] *Va. State Papers*, iii., 501.

[2] See *supra*, xlvi., note 1.

[3] Clark's account against Virginia, in English, *Conquest of the Northwest*, ii., 1040 *et seq.* The list of names is not complete since I have been unable to identify several as spelled by Clark and because drafts were drawn by other officers besides Clark and these would not appear in his account. In fact, the list of those who at this time or later furnished supplies on credit is a very long one, including almost every man of property in the Illinois. Gratiot of Cahokia, Cerré of Kaskaskia, and Vigo of St. Louis have always received due credit for the assistance they furnished, but they were no more active than the other members of the French villages. In the end these three never suffered from their efforts at this period as severely as did many others. Richard Winston, who at the time of the coming of Clark was regarded as wealthy, died in poverty; and the Bauvais family was reduced to almost the same extremity. These are only two instances among many.

While Clark had been regulating the affairs of the Illinois, the news of his great success had been received with rejoicing at Williamsburg, and the government of Virginia began preparing for some more permanent form of civil establishment for her new citizens. The territory north of the Ohio River lies within the region which Virginia claimed as hers under her charter granting the land from sea to sea. According to the Virginia interpretation of that charter, the state was fully within her rights in legislating for that territory, to which her troops had just given her another title.

On the 19th of November, 1778, a committee was appointed by the legislature to draft the requisite bill, which was introduced on the 30th and passed both houses on December 9th.[1]

The civil establishment thus created for the region was the same in its essential character as that which Virginia had used in her expansion westward, the county government. Kentucky had but a few years before received a similar organization. This new territory, which included all that Clark actually held, stretched from the Ohio to the Illinois River and up the Wabash towards Detroit to an indefinite boundary. Ouiatanon was certainly under the jurisdiction of Virginia, but beyond that post and the Illinois River there is no proof of her exercising jurisdiction. The land lying between this northern boundary and the lakes was disputed territory and was traversed by Virginia and British troops at various times.

The government of the "county of Illinois", as it was called, was temporary in character and was given force at the time of its enactment for only one year and then to the end of the next session of the legislature. On account of the difference in the population Virginia law was not fully extended to the new county.[2] "On account of the remoteness of the region," so runs the preamble of the act, "it may be difficult, if not impracticable, to govern it by the present laws of the commonwealth, until proper infor-

[1] The act is reprinted in this volume, p. 9. The history of the act is given in note 1 of the same page.

[2] For a discussion of how far the laws of Virginia were extended to the Illinois, see *post*, p. lxii.

mation, by intercourse with their fellow citizens, on the east side of the Ohio, shall have familiarized them to the same, and it is therefore expedient that some form of government adapted to their circumstances should in the meantime be established." The chief executive officer and commander of the militia was the county lieutenant, or commandant. He was empowered to appoint as many deputy commandants, militia officers, and commissaries as he found necessary. The civil officers were to be the same as the inhabitants were accustomed to, and they were to administer the law which was in force in the region already, that is, the *coutume de Paris*. Officers, created by the lieutenant, to which the inhabitants were unaccustomed were to be supported by the Virginia treasury, the others by the people. Both military and civil officers were required to take the oath of office according to the religion to which they were accustomed. The people were given assurance of the free exercise of their religion. The power of the court to be established and of the county lieutenant was limited in actions for treason and murder to the same extent as it was in all counties of Virginia.[1] In such cases the lieutenant was permitted to stay execution until the opinion of the governor or the assembly had been obtained.

On December 12, 1778, and in accordance with this act, Patrick Henry commissioned John Todd county lieutenant. For such a difficult and important position Todd seemed as good a candidate as was available. His ancestry was Scotch-Irish, one of his ancestors having fled from Scotland to escape the persecutions of Claverhouse. His grandfather had come to America in the year 1737, when Todd's father was still in his youth, and had settled in Montgomery County, Pennsylvania. From his mother Todd inherited Welsh blood. His education had been exceptionally good. His uncle, also named John Todd, was a well-educated man, having graduated from Princeton in 1749, and was a minister in Louisa County, Virginia, where he kept a classical school. It was at his uncle's school that the future county lieutenant was educated. Afterwards he studied law and practiced a short time.

[1] Chitwood, *Justice in Colonial Virginia*, 82.

But the attraction of the frontier life was in his blood, as it was in that of so many other young men of his time, and at the outbreak of the Dunmore's War he became aid to General Lewis. In the following year he made his way among the first settlers to Kentucky and was present at the meeting which was held to establish the government of the proprietary colony of Transylvania. In 1777 he was elected burgess from the county of Kentucky to the general assembly of Virginia. The duties of this office prevented him from taking part in Clark's expedition to the Illinois.[1] In appearance Todd was far from imposing. He was only five feet six inches in height, but was reputed the swiftest footman of his day and excelled in all forms of gymnastics. Like Clark and most of the leaders of the western movement he was still a young man, being at the time of his appointment twenty-eight years old. His experience, however, had been on the frontier; he was accustomed to the American type of pioneer, and was personally brave and a good Indian fighter. He united with these qualities a knowledge of law and a culture superior to that of any other man in the West. His education and his character seemed to fit him for the task before him. But the events in the Illinois were already approaching a crisis, brought on by the clash of Anglo-Saxon and Gallic temperament; the unity of feeling and the glow of enthusiasm aroused by the shouts of liberty and the huzzas for the French alliance were already changing, and the French were beginning to count the cost of the transference of their allegiance; criticism, denunciation, and open opposition were ready to break forth. Under such conditions was the experience of twenty-eight years sufficient to enable Todd to master the situation?[2]

The instructions given him by Governor Henry were wise and suited to the occasion: "Altho Great reliance is placed on your prudence in managing the people you are to reside among, yet consider'g you as unacquainted in some Degree with their Genius,

1 The Todd on the expedition was his brother, Levi. English, *Conquest of the Northwest*, ii., 951.

2 For the life of Todd see, Green, *Historic Families of Kentucky;* Morehead, *Settlement of Kentucky*, 174; Mason, *Chapters from Illinois History*, 252.

usage, and maners, as well as the Geography of the Cuntry I recommend it to you to consult and advise with the most intelligible and upright persons who may fall in your way . . . . and I know of no better Gen[l] Direction to Give than this, that you Consider yourself at the head of the Civill department. and as Such having the Comm[d] of the militia, who are not to be under the comm[d] of the military, untill ordered out by the civil Authority, and to act in conjunction with them. . . . . .

"You are on all Accatons to inculcate on the people the value of liberty and the Difference between the State of free Citizens of the Commonwelth and that Slavery to which Ilinois was Destined. A free & equal representation may be expected by them in a little Time, together with all the improvm[ts] in Jurisprudence and police which the other parts of the State enjoy. . . . . .

"The Ditaile of your Duty in the civil Department I need not give you, its best Direction will be found in y[r] innate love of Justice and Zeal to be intencively usefull to your fellow-men. A general Direction to act according to the best of y[r] Judgment in cases where these Instructions are Silent and the laws have not Otherwise Directed is given to you from the necessity of the case, for y[r] Great Distance from Governm[t] will not permit you to wait for Orders in many Cases of Great Importance."[1]

Clark received Todd with joy, for they were good friends; but a greater reason was that he found the task of superintending the civil department and at the same time of making the needed preparations for the contemplated attack on Detroit in the summer too difficult.[2] The fussy details of the former were annoying to a mind like Clark's which was only aroused to its best by the excitement of some bold military undertaking.

Todd reached the Illinois in May, 1779. One of his first duties was to organize the militia. There was little to be done, for Clark had maintained the military organization which he found in existence and had confirmed the appointments of the officers already in command. Todd now reconfirmed them under the

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 289 *et seq.*; *Va. State Papers*, i., 312.

[2] Clark's Memoir, English, *Conquest of the Northwest*, i., 449.

authority conferred on him by the act of the Virginia legislature. As far as the records show neither Clark nor Todd made many changes in the personnel of the militia. Under the British rule the officers had been selected from the most prominent men of the community, and the new government could not afford to alienate them. A few changes were made by one of the Virginians in Kaskaskia, where Richard Winston, an American trader, was made commandant, Nicolas Janis and Joseph Duplasy were retained, and Brazeau was not given a commission.[1] There could be no thought of change at Prairie du Rocher, where J. Bte. Barbau had been chief citizen for years.[2] At St. Philippe a commandant was also appointed, probably Pierre the Sieur de Girardot, who held somewhat the same position in that community as Barbau at Prairie du Rocher.[3] At Cahokia Joseph Cesirre, who had been judge and captain of militia for several years, was not commissioned, but this was probably due to his death, which occurred in this year, possibly before Todd's arrival. François Trottier was made commandant of the village and Michel Beaulieu and Pierre Godin called Turanjeau, were commissioned captains.[4] The latter was a new name in such a prominent position, but the Godin family was an important one and without doubt the appointment was approved by the people. In Peoria J. Bte. Mailhet was appointed commandant.[5]

Before issuing the commissions to the militia officers, Todd had given his attention to the establishment of the civil govern-

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 294; *Kas. Rec.*, various papers.

[2] Barbau was from New Orleans and was about fifty-seven years old at this time. He was one of the judges of the court of judicature established by Colonel Wilkins in 1768 and from that date is conspicuous in all the affairs of the American Bottom. It will be seen that he was called to an important position later at a critical time. See *post*, p. . After the United States came into control of the country, he still continued to be a representative citizen and was appointed to many public positions. He died in 1810. *Kas. Rec.*; Smith, *St. Clair Papers*, ii., 165. His will is recorded in the probate record of Randolph Co.

[3] Girardot was a former French infantry officer, who for some reason chose to remain in the Illinois. He was appointed one of the justices by Colonel Wilkins. I have not been able to find the rest of his name, for he was always called by his title.

[4] For these Cahokians see the notes to the census of the village on page 624 *et seq*.

[5] The appointment of a commandant at Peoria and St. Philippe is not mentioned by Todd in his Record-Book, but since we learn that such officers were acting later at these places, they must have been appointed about this time. For an account of Mailhet see p. 231, note 2. In 1790 it was believed that Mailhet was appointed commandant by Clark. Smith, *St. Clair Papers*, ii., 138.

ment. He had received very definite instructions on this head in the act creating the county, according to which the magistrates were to be such as the people were accustomed to and were to be elected by popular vote. The problem, however, was not an easy one. Under the French regime the civil magistrate was a judge with sole authority in all judicial and executive matters not belonging to the military department.[1] During the British period there had been a feeble attempt, in 1768, to create a court of judicature, but it had failed;[2] and since that time the military commandant had been also judge, assisted by justices in each village, whose duties seem to have been to put in execution the decrees of the commandant. Neither of these arrangements was in accord with the democratic ideas of the frontier. There was, however, another model. Since the fall of the previous year, the Illinois villages had been governed by the courts established by Clark. The justices were elected by popular vote and had given general satisfaction. Todd determined to continue these as fulfilling the requirements of the law. Since Illinois was so large, it was impossible to hold a court at any one of the villages for the whole county. Three districts were, therefore, created: the Kaskaskia district included Prairie du Rocher, Chartres village, and St. Philippe besides Kaskaskia itself; the Cahokia district extended from the village of Prairie du Pont to Peoria on the Illinois River; and the Vincennes district included all the region of the Wabash.[3] The court consisted of six justices from the principal village and representatives from the other communities of the district. Thus two justices were elected for Prairie du Rocher and one for St. Philippe in the Kaskaskia district; one was added to the Cahokia court for the little villageof Prairie du Pont; and three were elected for the communities in the Wabash region outside of Vincennes.[4] These

[1] Alvord, *Illinois in the Eighteenth Century*, 16.

[2] *Ibid*, 21.

[3] Todd's speech, quoted on page lx. gives the boundaries of the Kaskaskia district. The boundaries of the Cahokia district are obtained by the examination of the extent of its jurisdiction.

[4] Todd says in his speech that six justices are to be elected at Kaskaskia and two others from Prairie du Rocher and St. Philippe. As a matter of fact two were elected

justices were elected for a year and might become candidates for re-election.[1]

The election for the new government was held at Kaskaskia, on May 12th, with suitable ceremonies. The people were summoned to a general assembly at the church door, where they had been accustomed to meet to transact their business for years. They came in their picturesque holiday apparel, for to them this seemed the day of the fulfilment of all their anticipations. Near by were drawn up the Virginia soldiers of the Illinois battalion, and possibly groups of Kaskaskia Indians were on the outskirts of the crowd. The central group was composed of Clark with his officers and Todd with his attendants, and with these stood without doubt Father Gibault.[2]

The presiding officer of this remarkable assembly was George Rogers Clark. He had prepared an address for the occasion, but since his knowledge of French was limited, it was written and read by his official interpreter, Jean Girault. His address was in part as follows: "From your first declaration of attachment to the American cause up to the time of the glorious capture of post St. Vincent, I had doubted your sincerity; but in that critical moment I proved your fidelity. I was so touched by the zeal which you have shown that my desire is at present to render you happy and to prove to you the sincere affection that I have for the welfare and advancement of this colony in general and of each individual in particular. The young men of this colony have returned from Post St. Vincent covered with laurels which I hope

from Prairie du Rocher, as the election certificate shows. (*Kas. Rec.*) The ninth member of the court was the Sieur de Girandot, who was a resident of St. Philippe. (*Amer. State Pap., Pub. Lands*, ii., 192.) The number six remains throughout the period as the number of justices to be elected at Kaskaskia. See pp. cxvi., cxxxiv. At Cahokia there was always a member of the court who was a resident of Prairie du Pont and the court of Vincennes must have also followed the Kaskaskia model.

[1] In Cahokia the election was annual and on account of the completeness of the records it is best to base conclusions about practice on that of the court of that village; but in the certificate of the second election of the two justices of Prairie du Rocher in 1782, it is stated that the time of service of the justices as established by law had passed and so two more justices were elected. This would make the tenure of office three years. (*Kas. Rec., Pol. Papers.*) No conclusions can be drawn from the elections at Kaskaskia, since they were held so irregularly and the same is true of what little is known of the court at Vincennes. (See *post*, p. lxxxiv.; Dunn, *Indiana, passim.*)

[2] In all French villages the regular place for holding assemblies was in front of the church. Babeau, *Les assemblées generales*, 21 *et seq.* It is possible that the troops and the Indians were not present, but it seems probable that they were.

they will continue to wear." He then praised those who had remained at home to defend their village, and expressed a hope that they would soon have an opportunity to win similar glory. He told them that they would soon possess the liberty which the Americans enjoyed, and that America would protect them. The governmen , "has appointed for you a civil lieutenant governor to regulate and settle your affairs. In a short time you will know the American system, which you will, perhaps, think strange in principle, but in the end you will find in it so much peace and tranquillity that you will bless the day that you embraced the cause of the Americans. You should be persuaded that we desire to render you happy and to procure for you all possible succor.

"I present to you Colonel Todd, my good friend, as your governor. He is the only person in the state whom I desired to fill this post in this colony. I am fully persuaded from my knowledge of his capacity and diligence that he will succeed in rendering to you justice and making you contented.

"You are assembled here, gentlemen, for an affair of the greatest importance, namely, to elect the most capable and illustrious persons to sit in judgment on your differences. . . . . I pray you to consider the importance of this choice and to make it without partiality and to elect the persons most worthy of your trust; and I hope that in a short time that you will be convinced that you are the freest people in the universe."[1]

Clark was followed by the county lieutenant, John Todd. His speech was also read by some one familiar with the language. He said in part: "Gentlemen, I am sent by the government of Virginia to exercise the duties of chief magistrate of this county. The reception which I have received from you deserves my thanks. I am flattered and shall always be happy, if my power can serve your well-being. I am sure that nothing will be lacking on my part to secure that end.

"The Republic of Virginia has had only noble motives in

[1] *Dr. MSS.*, 49J43. This is an original manuscript and is signed by Clark, Fort Clark, May 12, 1779. Translation by the editor.

coming here. It was not moved by the love of conquest but has come to invite you to participate with her citizens in the blessing of a free and equal independence and to be governed and judged by officers who shall be placed in power by the people.

"Your great distance from the capital, gentlemen, does not permit you to send representatives to the assembly; but if in the future it happens that for your welfare or to avoid loss you prefer such representation, I have it in my instructions to assure you that it will not be refused you.

"The purpose for which we have assembled you to-day, gentlemen, is that you may choose among you six of the most notable and most judicious to be judges of the court of Kaskaskia, conjointly with two others from Prairie du Rocher and St. Philippe.

"Each one with the right of voting can give his vote, either *viva voce* or by writing, to elect whomever he wishes to place in office."[1]

The assembly then proceeded to the election. A large ballot sheet had been prepared which was divided into squares. At the top of this were placed the names of the candidates, and at the side the names of the voters as they handed in their votes either by word of mouth or by writing, and their choice was checked off in the proper squares.[2] The harmony of parties is evident from the list of men chosen as justices. The old factional strife, which had marked the years of Rocheblave's government, was hushed before the grand ideals which had been invoked by the men who had inaugurated this new constitution. All men united in choosing those who appeared most fitted to exercise the duties of the new office. At the head of the court was placed the man who had been the chief support of Rocheblave, but who had in the past few months won the confidence of Clark and his officers by the liberal assistance he had given their tottering finances, Gabriel Cerré. On the whole, however, the names of the judges are those of men who had been lukewarm to the British cause and had won favor either in the recent campaign against Vincennes

[1] Chi. Hist. Soc.'s *Cah. Rec.* This is an original manuscript. Translation by the editor.

[2] At least this was the method at later elections. *Kas. Rec., Pol. Papers,* among which are two such ballot sheets.

or by their cordial acceptance of the American allegiance. There were elected from Kaskaskia, besides Cerré, Joseph Duplasy, Jacques Lasource, Nicolas Janis, Nicolas Lachance, and Charles Charleville.[1]

On May 19th the people of Prairie du Rocher assembled and elected J. Bte. Barbau and Antoine Duchaufour de Louvieres as their representives in the court. At St. Philippe, Pierre Sieur de Girardot was elected.[2]

The court now being complete, Todd issued the commission on May the twenty-first: "From the great Confidence reposed in your Judgment & Integrity by the good people of Kaskaskia and its dependencies and agreeably to an act of the general assembly of Virginia, you are hereby constituted & appointed Justices of the peace for the District of Kaskaskia and Judges of the Court of the said District in cases both civil & criminal. any four or more of you are authorized to constitute a Court before whom shall be cognizable all actions and cases of which the Courts of the Counties of this commonwealth Respectively have Cognizance. your judgment must have the Concurence of at least a majority and be entered with the proceedings previous and subsequent and fairly recorded in Books provided for that purpose."[3]

Richard Winston, who was already commandant of the village, was appointed by Todd to the office of sheriff and Jean Girault, state's attorney. Carbonneaux, who had been clerk during the British period, was re-elected by the court.[4]

The date of the inauguration of the court at Cahokia is not known. During the subsequent years the elections were held generally after the middle of June, the nineteenth being the favorite date; but the court was elected before that date in 1779, for it was in session as early as the tenth of June.[5] The election

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 295.

[2] For election at St. Philippe see *supra*, p. lvii., note 4.

[3] *Kas. Rec., Court Record*, fol. 169.

[4] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 295. Winston's commission is among the *Kas. Rec.*

[5] See *post*, p. 13.

passed off without making many changes in the personnel of the court which had been established in 1778 by Major Bowman. In the place of Langlois, Bte. Saucier was returned. J. Bte. LaCroix was appointed sheriff by Todd and François Saucier was elected clerk by the court.[1] A court was also established at Vincennes. As this post lay outside the territory which in time has become the state of Illinois and since the records from which this account is drawn belong to the villages of the Mississippi bottom, the history of Vincennes will be noticed only incidentally in this Introduction.

The history of these courts was very dissimilar, as will be shown in the following pages; but there are certain general statements in regard to them which can be made that are true of all. The courts met at first rather irregularly, for the justices seem to have attempted to continue the weekly sessions to which they had become accustomed in Clark's courts. Later they gave this up and settled down to holding monthly sessions with some regularity and meeting in special sessions when required.[2] The individual justices had jurisdiction in cases involving not more than twenty-five shillings, as was the law in the other counties of Virginia.[3] The French law was retained as the law of the county, but it was modified somewhat by the law of Virginia. In a letter to Clark on December 12, 1778, Governor Henry mentions sending him the Bill of Rights of Virginia to guide the French people, and appeal was made to it at one time at least in the history of the court of Kaskaskia.[4] But this was not the only Virginia act that was used in these courts, for we find mention of the "Code of Laws and Bill of Rights" as a guide to be followed in questions of difficulty.[5] What this code contained I have been unable to discover, but it was probably the more important laws respecting

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 295.

[2] This was true both of the Kaskaskia and the Cahokia courts. Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 309.

[3] Chitwood, *Justice in Colonial Va.*, 81; see *post* p. 533.

[4] *Dr. MSS.*, 60J1, a copy; *Kas. Rec., Letters.*

[5] *Memorial of Timothe de Monbreun*, November 18, 1794, Va. State Library.

the county courts. There was some attempt at Kaskaskia to regulate the procedure in accordance with English law. On one of the stray papers of the records from Kaskaskia there is a regular docket like that of any English court. At the end of the Cahokia court record, published in this volume, there is an attempt to imitate the same form. Trial by jury was also permitted and probably required in criminal cases; at least the record of the first jury trial at Cahokia was criminal. Another evidence of the influence of the English law is the practice of arresting men for debt, which makes a late appearance in the history of the Cahokia court. On the whole the law of the courts is that of the *coutume de Paris*, as it had been used in the Illinois throughout the eighteenth century. The litigants do not as a rule favor the English procedure and are generally satisfied to have a majority of the judges decide their cases in accordance with equity.

There were very serious charges made against the Vincennes justices on account of the large costs they demanded. A similar charge could not be made against the Cahokia court, for, with the exception of a few cases, which might be explained if we knew all the circumstances, the costs were moderate and not different from those that had been fixed by the ordinances of the French kings. Of the Kaskaskia court almost nothing is known, on account of the disappearance of the record. That the justices of Cahokia were careful in preserving the records of their sessions is evident from this volume. The history of the courts at Kaskaskia and Vincennes was far more stormy, and no doubt in the factional fights the records were not kept as well, but that they were made is evident from numerous references to them in letters and petitions. Where they are now is not known, but in both places there were plenty of men who would prefer that such records should not remain in existence, and they have no doubt been destroyed.

Although unity among the French population appears to have reigned at the election and there was great enthusiasm

expressed for Clark and the new county lieutenant, there was no such feeling for the American soldiers or for the numerous traders and land speculators who had already found their way into the country. The backwoodsman was a type that had been developed rather slowly in the Eastern colonies; but the endless Indian warfare, the life of the woods, the separation from the centers of civilization, the need of reliance on self had produced a set of men well fitted for the task of winning the West. Of great physical strength, brave to recklessness, splendid riflemen, trained in woodcraft in which they were second only to their foes, the Indians, lovers of individual freedom, hostile to the regulations of society, hard drinkers, suspicious, quarrelsome, intolerant, uncultured even to vulgarity, they had all the virtues as well as the vices of the Homeric heroes.

It is difficult to trace the origin of these men of the frontier, for they came from all nations, from England, Ireland, Germany, and Holland. There was also a strong strain of Scotch-Irish blood from western Pennsylvania. Some came from respectable families of the eastern settlers; many had fled to the West to escape the consequences of crime; others were redemptioners. Men of noble ideals mingled with those of the criminal class, for the West asked no questions in regard to the origin and past life of men, provided they were courageous and could wield an axe and fire a gun. What was needed were men, and they came from all classes. The love of the frontier with its excitement was in their blood and they came to fight the Indians, to quarrel among themselves, take up the land, winning it from the Indians and from nature in a way that no other men could have done so well. The well-controlled colonies of the French with their many prohibitions on individual initiative had failed where the splendid self-reliance and personal assertiveness of the American pioneers succeeded.

The men trained under the French system now came in contact with this different race of beings. In the ensuing struggle those best adapted to survive in the life of the backwoods had an advantage which they used without restraint and without com-

passion, and the French gave way before the egoism of the Americans, for whom they were no match. There was little to unite these discordant elements. The French were Catholics; the majority of Americans, Protestant, and the Calvinistic blood of the Independents and Presbyterians still ran warm in the veins of the pioneers, although they may have long ceased to feel the restraining influence of religion. For them the Catholics were enemies, as they had been on many a battle field of the Old World. The French lived on good terms with the Indians, the pioneer knew no good Indian save a dead one. With unremitting and relentless watchfulness they waged that war of extermination until the Indian was driven from the coveted prairies. The friends of the foe who had murdered with such cruel barbarity father, mother, sister, and brother of these stalwart pioneers were not to be trusted, and at every Indian uprising the French people were suspected. The French had been educated to respect the law and to obey the magistrates. With their little difficulties they were accustomed to run to the constituted authority for redress. The frontiersmen preferred to execute their own law and in any dispute were themselves judge, jury and executioner. Let a disagreement arise and there followed that terrific fight in which no rule was known, no end was allowed, save the yielding of one party to the greater physical strength of the other. Kicking, throttling, gouging of the eyes, biting were all permissible. In such a struggle the greater strength and weight of the American had a distinct advantage over the Frenchman. Hence that contempt for the smaller race which is so marked in the attitude of the pioneer for his French neighbor.

No better example exists of their differences than in their manner of life. The frontiersmen preferred the isolated log cabin, built without the least attempt at attractiveness; bare of furniture, comfortless, ill kept, life here was unlovely, individualistic, and unsocial. Even when forced for safety to seek the shelter of the stockade, they brought to the common life only the same qualities. Amidst the stench of cattle and hogs in the enclosure, the young were brought up with no conception of a quieter and more lovely

life. The hero of the stockade was the strongest in the rough and tumble fight, the surest shot, the killer of Indians. The French were temperamentally the opposite; their mode of life had more refinement, more attempt at æsthetic enjoyment, was gentler in every way. Their little cottages in the village community surrounded by the picket fence, which enclosed a garden with vegetables and flowers, set them apart as a people of different ideas and civilization.

It was over these two people who were now mingling in the Illinois villages that Todd was called to rule. The soldiers of Clark had answered nobly to his call to war against the British and Indians, but it required other training than theirs to garrison a village of peaceful citizens. When the spirit of self-abnegation, which marked the army of backwoodsmen on the campaign, had disappeared, the equality which reigned on the frontier reasserted itself and Clark's influence became only that of an equal. The obedience yielded to him in an emergency and in the face of danger was past, and the spirit of individual assertiveness was again predominant.

The French had experienced the evils of this rule of the untrained militia from Virginia and Kentucky, and were glad to be finally released from its petty tyranny. They saw with joy the inauguration of the civil government, for the court would be their champion against the soldiery; and under the strong hand of the lawcourt, an institution which the French were accustomed to respect, order would again be restored and they would taste the sweets of that liberty which Clark and Todd had promised them. The court was French, and it is to this institution that the "villagers" clung throughout the following years, for through it alone could they hope to bring that freedom from military rule which oppressed them.

The reverse of the picture must not be forgotten. The position of the Illinois battalion was a very difficult one. The men were in a country far from their source of supplies, surrounded by hostile tribes of Indians, and unable to confer easily with the officials in Virginia. They, therefore, were frequently forced to

act independently and their acts were not always confirmed by the Virginia authorities. Their supply of money from the state was also inadequate for the work they had to perform. This was due to two causes: first because Virginia did not fully appreciate the importance of holding the Illinois — that was a need better understood by the Kentuckians; second, the finances of the state were such that there was no supply for this distant country. In 1780, Governor Jefferson wrote to Clark: "The less you depend for supplies from this quarter the less will you be disappointed by those impediments which distances and a precarious foreign commerce throws in the way, for these reasons it will be eligible to withdraw as many of your men as you can from the west side of the Ohio leaving only as many men as will be necessary for keeping the Illinois settlement in spirits, but we must accommodate our measures for doing this to our means."[1] In the previous year the situation was only a little better. It was the necessity of holding the country at any cost that forced upon the men of the West the use of measures which bore with harshness on the French, measures which were often cruel and brutally carried out. That they held the territory for America is their excuse. The French were not the only ones to suffer. Clark never received just recompense for his labors, and many personal debts which he incurred for the cause were never paid. Many of his officers suffered in the same way and found themselves financially embarrassed by their devotion to the American interests.

No sooner was the court of Kaskaskia established than it took up the cause of the French and attempted to put an end to the anarchy which threatened. In a memorial to John Todd of the twenty-fourth of May, 1779,[2] the justices told their grievances and demanded reforms: First, "The soldiers of Fort Clark go into the commons of this place to hunt the animals of the undersigned petitioners and without giving heed to the brandings or to whom they may belong they have enclosed them in the fort and killed them without giving notice to anyone. Such acts have never been

[1] *Dr. MSS.*, 29J14.

[2] *Kas. Rec., Pol. Papers.* Original MS. Translation by the editor.

seen in this country before. It is contrary to all law and particularly contrary to the usages and customs of an independent country like this one, which has been announced to be free. In a place where each should be able to do with his property what pleases him and to enjoy it as seems good to him, the soldiers have killed dray-oxen, milch cows, and other animals belonging to people who can not subsist without them. It causes for some a lack of means for the cultivation of the fields and for others a lack of nourishment and subsistence for the family. We have always been ready to furnish animals for the garrison in so far as it was in our power and are still ready as far as we have resources. If it is permitted that our beasts of burden be killed, how can we cultivate our fields and furnish the needs of the garrison and those of our families? If such abuses continue, which tend to the ruin of the colony, what will become of the colonists?"

The second subject of the memorial was against the sale of intoxicating liquors to the Indians. They said that the French had made an agreement not to sell any liquors to the Indians, as it had been the cause of disaster to the colony and they begged Todd to put an end to this trade.[1] The third subject was in regard to trade with the slaves without premission of the masters. The black law was still in force and forbade such trade, which was nevertheless practiced and caused the slaves to be insolent and disorderly.

On this last subject Clark had already issued an ordinance, and at this very time there was in process the trial, which had begun in the courts founded by Clark, of the slaves for poisoning.[2] The case was proved against two and a sentence of execution pronounced against them, so that this kind of disorder from the slaves received a check.

The subject of trade in liquor with the Indians was apparently regulated by the issuance of trade licenses; at least there are in existence two such licenses, one of which is in this volume and the

[1] Refers to the agreement under the Rocheblave administration. See *supra*, p. xxxii.

[2] See *post*, pp. 4, 13.

other may be found in John Todd's *Record-Book*.[1] Since these measures did not prove effective, the court, on September 6th, issued a proclamation prohibiting the sale of liquors to the savages and the buying of any commodity from slaves without permission of their owners.[2]

The first subject was beyond the power of the civil government and was never fully righted, for this grievance concerning the killing of cattle belonging to the French appears in all subsequent petitions of the inhabitants of the villages, whether they addressed themselves to Virginia, to Congress, or elsewhere. The position was a difficult one, and the soldiers left to shift for themselves recurred again and again to this method of foraging. During the summer of 1779 some steps seem to have been taken to stop the abuse, for the officers complained several time of the lack of supplies, and the imminent need of military seizure, which they were forbidden to make.

There was another vital question in the Illinois which demanded the attention of the county lieutenant. The land was fertile, and he had every reason to fear that there would be a rush of settlers to the county, which would now fall under the land laws of Virginia that permitted the greatest license to settlers in preempting land. The result in Kentucky had been land-speculation, law-suits, and general anarchy. This Todd hoped to prevent in the Illinois. The French settlers were always opposed to the indiscriminate giving away of unpatented land and, in the petition of May 24th already mentioned, they called Todd's attention to some adventurers who were taking up large tracts of land near their village, and urged him to save at least the rich river bottom. They did not know that the Virginia assembly in May, at the time this question was under discussion in Illinois, had passed a law forbidding settlements north of the Ohio river.[3] Todd was directly interested in the land question, as he had been appointed the surveyor of the county by the corporation of William and Mary

[1] See *post*, p. 463; Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collection* iv., 296.

[2] *Kas. Rec., Court Record*, p. 238.

[3] Hening, *Statutes*, x., 32.

college.[1] In the middle of June he "enjoined all persons whatsoever from making any New Settlements upon the Flat lands, unless In manor and form of Settlem[t] as heretofore made by the French Inhabitants untill further Orders given hereon."[2] That Todd had no intention of forbidding settlers in the prairies is evident from the proclamation, and after Todd's departure neither the incoming immigrants nor the officers of the troops paid any heed to the Virginia legislation. In fact many Americans found their way to the region and were welcomed by Clark, who believed that the settlement of families was the best way to hold a country. In 1779 Montgomery mentions the departure of several families from Kaskaskia to form a settlement up a creek about thirty miles.[3]

But it was not the single settler only who had to be watched. No sooner had the news of the conquest of the Illinois reached the East than the Illinois and the Wabash Land companies, which had been formed during the British period,[4] decided to pool their interests and begin immediately to make settlements. Only a few days after the Virginia assembly passed the act creating the county of Illinois, on December 26th, William Murray on behalf of himself and the other proprietors presented a memorial in which he set forth the fact of the purchase of lands from the Indians and the purpose of making a settlement as soon as the state of affairs in the West would permit.[5] In order not to allow the claim to lapse through non-occupancy, the companies made, the next spring, preparations to form a settlement on the Wabash, and appointed on March 26th John Campbell as their western agent.[6] There was sent him a proclamation to be published in which the most liberal terms were offered to the first five hundred settlers in the town which it was proposed

[1] *Papers of Old Cong., Ind. Papers*, LVI., 97.

[2] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collection*, IV., 301.

[3] *Dr. MSS.*, 49J74.

[4] See *supra*, p. XXX.

[5] *Va. State Papers*, I., 314.

[6] *Can. Archives*, B., 184, vol. I., pp. 119 and 123. Todd found difficulty in deciding what to do about their title. Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, IV., 318.

to establish. The enterprise was not pushed further at this time.

The next subject to engage Todd's attention was the paper money. While on his way to Illinois, he had learned that the issues of continental paper money of the dates May 20, 1777, and April 11, 1778, were ordered to be paid into the continental loan offices by the first of June, 1779, or they would become worthless;[1] but he hoped to obtain a longer time for the money from the Illinois. Todd issued a proclamation on July 27th, which he repeated on August 22d, setting forth the necessity for depositing with him, the called-in emissions for which he would issue certificates. In all between fifteen and twenty thousand dollars were thus collected and deposited with the notary; but nothing further was done with it.[2] It was estimated that there remained in the hands of the inhabitants twenty thousand more notes of these issues, which were, of course, of no value whatsoever. Another loss to the French came from the large amount of forged money that was put in circulation. It was a common practice, and an easy one, to counterfeit the continental and colonial paper and large amounts were carried to the Illinois. This, however, was refused by Todd and the more intelligent merchants. The result of all these operations was that confidence in the paper money was greatly weakened until the French refused to take it at all.

It was to buoy up the sinking credit of this paper that Todd devised a scheme to call in a further amount, since he thought the prime cause of its depreciation was the quantity in circulation.[3] On June 11th he wrote to the Court of Kaskaskia the

[1] Todd to Clark, March 26, 1779, *Dr. MSS.*, 49J33.

[2] In 1790 Governor St. Clair found it still packed away in the notary's office. *Amer. State Papers, Pub. Lands*, i., 20.

[3] The rapid depreciation of the continental money in the year 1779 may be seen by this schedule drawn up by Todd and Clark. (*Journal of Northwestern Commissioners*, Va. State Library).

	Kas.	St. Vinc.	Koho.
From the 1st May till Col. Montgomery's Arrival in June at Kaskaskia One Specied [?] Dollar was equal to	5 or 6	3½	4
From 10 June till ye 10 July during the time ye Reg. was at Kaskaskia & on the way to St. Vin.	10	4?	5
From the 10th July till the Middle Augs.	10	4 to 8	6
from 15 Augs. till 1st Oct.	15	8 to 12	8
from 1st Oct. till 15 Nov.	to 30	to 15	10

following letter: "The only method that America has to support the present just War is by her Credit. That Credit at present is her Bills emitted from the different Treasuries by which she engages to pay the Bearer at a certain time Gold & Silver in Exchange. There is no friend to American Independence who has any Judgment but soon expects to see it equal to Gold & Silver. Some disaffected persons & designing Speculators discredit it through Enmity or Interest; the ignorant multitude have not Sagacity enough to examine into this matter & merely from its uncommon Quantity & in proportion to it arises the Complaint of its want of Credit.

"This has for some years been the Case near the Seat of War; the disorder has spread at last as far as the Illinois & calls loudly for a Remedy. In the interior Counties this Remedy is a heavy Tax, now operating, from which an indulgent government has exempted us. one only remedy remains which is lodged within my power that is by receiving on behalf of Government such sums as the people shall be induced to lend upon a sure fund & thereby decreasing the Quantity."[1] The plan as he set it forth was to borrow 33,333⅓ dollars of Treasury notes, whether of Virginia or the United Colonies, on certificates for 21,000 acres of land near Cahokia. The lender was obliged to make a loan of at least $100, for which he or his heirs should be entitled to demand within two years a title to his allotment of land, or the sum originally advanced in gold or silver with 5 per cent interest *per annum*, at the option of the state.

This project met the approval of the governor and council but had to be brought before the assembly for confirmation.[2] Todd in the meanwhile appointed commissioners to receive the money and large sums were paid in and sealed up, for which certificates were issued. The matter stopped there, for nothing came of the project except the exchange of the paper for the certificates.[3]

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 297.

[2] *Va. State Papers*, i., 326.

[3] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 298 *et seq.*; *Dr. MSS.*, 46J50.

Although Todd had been compelled by law to take up the recalled emissions and to refuse the counterfeits and this last scheme for bolstering up the credit of the paper currency was a common enough one in his time, the effect of all these transactions was to throw further discredit on the currency and make the purchase of provisions for the army almost impossible. For this he was held responsible and roundly denounced by the army officers, who had themselves been the most at fault in passing a depreciated currency at par value, a deceit which caused the French to lose all faith in their money and their word. The blame, however, had to be placed on some one and the head of the civil government was the victim. The animosity thus aroused remained long after Todd had left the Illinois and had met his death at the battle of Blue Licks. Sometime after 1790, William Shannon, who was in 1779 commissary in the Illinois, wrote of these transactions: "it was owing to the false suggestions of Col. Todd, a gentleman who came to the Illinois in the month of May, 1779, in character of chief magistrate, who I believe by his reports to government as well as by his transactions while in the Illinois country had done great injury to the inhabitants. Immediately after his arrival His policy was to put a total stop to paper credit which he did by putting the paper money he found in the hands of the different Individuals under cover and sealing it up (where a great part of it still remains) and giving the holders thereof a certificate specifying that he had Inclosed under his Private Seal paper bills of Credit to a certain amount and for which he promised them (as he said they had been imposed on) lands in proportion to the money they brought to him to secrete for them .... this proceeding put a total stop ever after to paper credit in that country."[1]

This was the explanation of Todd's actions in the military circles. Unjust it was and false; but Todd found himself, as he tried to protect the French, more and more in opposition to the military department. And yet he could not assume the leadership of the French party, because of his duty to the American

[1] *Dr. MSS.*, 46J50.

cause and of the necessity of maintaining control of the territory at any cost. There was nothing left for him but to attempt mediation, which was foreordained to failure. On September 18 Richard McCarty, who was captain of the company stationed at Cahokia, wrote Todd: "I dont see yet through the designs of a few dispicable Inhabitants who say they are authorized by you, to parade themselves in the fields Distroying My property when there are Numbers of other hogs in the same place . . . . Indeed unless there is Soon a Change for the Better me nor my Soldiers will have no Business hear, Neither can we stay half Naked, what we are paid with Call'd down by the Civil power."[1] The same writer was more open in expressing himself to Colonel Montgomery: "Colo. Todd's Residence here will spoil the people intirely for the inhabitants no more Regard us than a Parcel of Slaves." He also says it would be a good thing to get Todd out of the country, "for he will possitively Sett the Inhabitants and us by the Ears . . . . In some complaints by the Inhabitants the other day he wished that there wasn't a soldier in the country. . . . . I have never Seen the people of this place So Mutinous as they are by the encouragement of Colo[1] Todd, for they even begin to threaten to turn my men out of Doors and god knows what I shall do If they do for we are not Above 20 Strong and them Sick that I could depend on So they may Starve us if they like."[2]

This outspoken opposition of the French made its first appearance at Cahokia, possibly because the people of the village were more independent and self-reliant, but probably because there never was a large garrison in the village and it was far from the seat of government, Kaskaskia. Then too the captain in command was well known, having been a trader in Cahokia some years before the coming of the Virginians. His rapid promotion in the army had somewhat turned the head of this Irishman from Connecticut, and he was overbearing and arrogant in his relations with the people.[3] In a moment of anger he once told

[1] See *post*, p. 615.

[2] See *post*, p. 616.

[3] For biographical note on McCarty see *post*, p. 2, n. 3 .

them that he wished he was commander in chief of their village and he would send some of the inhabitants in chains to Virginia.[1] Todd had no very good opinion of McCarty and later told the governor that he had "rendered himself disagreeable by endeavoring to enforce Military law upon the Civil Department at Kahos."[2]

The military had causes for complaint, although these were not due to Todd. The soldiers were ill fed and badly clothed as the means of supplying their needs began to fail. In September, Captain John Williams wrote, "provisions is very hard to be got without Peltry,"[3] and in the same month Colonel Montgomery wrote to Clark: "I cant not tell what to do in Regard of Clothing for the Soldiers as the Goods you wrote to me is gon . . . . and I would Be Glad that if it is in your power to Send a Relefe to me for the Soldiers if it is onley As Much as will Make them A little Jump Jacote [*Jacket?*] and a pear of overalls I think they Mite Scuffle threw. But in Regard of lining there are Bad of, But if I had Som Strouding I Could Exchang it for lining on the other Side as The [*sic*] have all Redy offered it to me."[4] McCarty's tale of troubles at Cahokia was even worse; for the soldiers were deserting daily because of the lack of clothing.[5]

Thus the question of the support of the troops had become the vital issue between the civil government and the army. The French were unwilling to part with their goods without some assurance of payment, for they had learned from sad experience, and the deception in regard to the money was not the only one. Many of the bills drawn on Oliver Pollock at New Orleans or on the treasury of Virginia by the officers were coming back protested. Even when merchandise instead of money or drafts was promised, the French were disappointed. The experience of Gabriel Cerré is one that occurred not once but many

[1] See *post*, p. 543.

[2] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 335.

[3] *Dr. MSS.*, 49J73.

[4] *Dr. MSS.*, 49J74. The punctuation and spelling are printed as they are in the original.

[5] See *post*, p. 615

times. In a letter to Clark he explained that he had used his credit to purchase supplies for the troops on the promise of the commissary Shannon to repay him in merchandise, which was now refused him.[1] No wonder the inhabitants felt they could do no more. They had furnished their goods and had even taken on themselves obligations in order to make the expedition of Clark a success. This they had done when Clark and his men first surprised Illinois in the summer of 1778. They had also fitted out the Vincennes expedition in the winter with supplies as well as with soldiers. In the summer of 1779, Clark had organized a campaign against Detroit which never took place, and again the French were ready with supplies and volunteers. They were now to be called on once more to sell their goods without hope of pay, and this brought on the crisis that proved to Todd the illusiveness of his mediation and the impossibility of the maintenance of a civil government.

After the failure of the Detroit expedition the troops were assigned for the winter to the different villages, which they reached in August. Colonel Montgomery was placed in command of the Illinois; Captain John Williams was stationed at Fort Clark in Kaskaskia, Captain Richard McCarty, at Fort Bowman in Cahokia, and Captain Shelby at Fort Patrick Henry in Vincennes.[2]

Preparations were immediately made to collect supplies for the winter and the compaign of the following spring. Hunters were sent out to obtain meat, and the officers were instructed to purchase provisions from the inhabitants. To this end, Todd, on August 11, issued a proclamation inviting the inhabitants to make contracts with the commissaries for flour. Knowing the attitude of the people he felt the necessity of adding: "If I shall be obliged to give the military permission to press, it will be a disadvantage, and what ought more to influence Freemen it will be a dishonour to the people."[3] Nine days later Colonel Montgomery tried the effect of his eloquence and proposed that one of the citizens should be appointed contractor to assess the inhabi-

[1] *Dr. MSS.*, 49J59.

[2] Clark's general orders, *Va. State Papers*, i., 324; Letter of Montgomery, *Ibid*, iii., 441.

[3] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 305.

tants for the benefit of the service, and he adds: "The complaint of the worthlessness of the money will not last long, I hope, but in the meantime I am certain that all good compatriots will set about assisting the garrison, seeing that it is so many years that their fellow patriots have carried on the war and fought and received their pay in this same money. In order to remedy the difficulty in regard to the counterfeit money, letters of exchange will be given for all kinds of supplies."[1] Two days later Todd prohibited the exportation of any provisions from the Illinois for sixty days. "The offender herein shall be subjected to imprisonment for one month and more over forfeit the value of such exported Provision." This was not the first time that an embargo had been laid on exportation, for two months before the court of Kaskaskia had prohibited exports without the consent of the commandant.[2]

The result of these measures was that the justices of the court of Kaskaskia assessed the inhabitants of the village according to their wealth, and by August 31 there had been delivered into the storehouse 54,600 pounds of flour and a promise of 1600 pounds more had been made.[3] This amount was considerable, but not sufficient to support the large army that Clark expected to put in the field the following summer. Other efforts were therefore made to induce the people to part with further supplies, and Montgomery's eloquence was again called into use. The effect of this second appeal is told in a report to Clark on October 2d. "Since I receved your letters I have Made a second Trial in Regard of laying up a Sufficant Quantity of provision But it seems to no effect as the [*sic*] aGain Repete to me that themselves and Negroes is neaked and Without I can suply them with Goods or peltry it will be out of their poer to Supply Me in More then What the Already have promised Me which will not Be over half enuf to Supply An aremey. But Sir as you inform me that you have The disposing of the Goods that Colo Rogers

[1] *Kas. Rec., Letters.* Translation by the editor.

[2] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 306; *Kas. Rec Court Record*, p. 232.

[3] Furnished by twenty-seven inhabitants, *Dr. MSS.*, 46J17.

tuck up to the Falls if you thot proper to Send a Quantity of them Back to Me for that purpose or a Quantity of dear Skins with what peltrey I have Got from Colo Todd I think it then Would Be in My power to furnish a Quantity Sufficant for the Supply of a thousand Men Six Months. if you dont think proper to send them Send Me perticuler orders in Regard of teaking it by force and your orders shall be puntley obed. Sir if you Sh think of Sending them, the sooner the Better as I have Eshued a proclamation prohabiten them to transport aney provision of aney Space what Ever till Such times I have answer from you not letting them know that There is aney Expectation of anything of that kind."[1]

Todd had meanwhile been making efforts to supply the deficiency with some success. In the latter part of September he was in Cahokia and purchased a large amount of peltry from M. Beauregard of St. Louis, for which he paid as high as three *livres* per pound, a price which was regarded as excessive.[2] A draft on the treasury of Virginia was given for this. It was this peltry that Montgomery had been counting on to pay some of the debts to the French at the Illinois. Todd preferred, however, to reserve it for future emergencies and declared that the troops must be maintained by the credit of the state. Todd's persistence in this policy caused his administration to end in failure, since, in maintaining it, he found he could no longer protect the people from military levies. Since Montgomery had failed in every attempt to wrest more from the people, he turned the business over to Todd who said: "that he Would Call a counsel of the inhabitants and Compel them to furnish. But when the Met the punkley denied him, he then told Them if the did not Comply he would Give them up to the Militery and Quit Them. the answered him the were well aGread to that & So parted."[3]

[1] *Dr. MSS.*, 49J76.

[2] *Jour. of Northwestern Com.*, Va. State Lib.; Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 348, 358.

[3] Montgomery to Clark, October 5, 1779, *Dr. MSS.*, 49J78.

The disappointment of Montgomery at this outcome appears very genuine, and he was not sure what to do next. He asks Clark: "with what Face Can I pretend to Seas on those people provisio When the know that we have Got the peltrey and will not Give it to Them and our Money is of no acount to Them and our Bills Comes Back protested. The have Greate Reason to think that We onley intend to Baffle them but Sir you May depend that I will do Every Thing in My power and am detrmed [*sic*] to have the provision as I have demanded Every Bushel of Every Space the have to Spare."[1]

Todd left Illinois in November,[2] shortly after his failure, and returned to Kentucky, leaving as his deputy, Richard Winston. He had become discouraged and had begged to be permitted to resign as early as August 13, 1779, giving as his reasons the unwholesome air, the distance from his connections, his unfamiliarity with the language, the difficulty of procuring many of the conveniences of life, and the impossibility of accomplishing his purposes with the means at hand.[3] He had not been agreeably impressed with the Illinois, where he had suffered a severe sickness and been obliged to put up with much that was disagreeable. He voiced the sentiments of many Americans of his time when he wrote, "I prefer Kentucky much to this Country either for the ambitious man, the retired farmer, or the young merchant."[4]

In leaving he did not resign his position of county lieutenant, but retained it at least through the next year.[5] It has been an open question whether Todd ever returned to Illinois after 1779; but a letter written from Vincennes on March 10, 1780, in which he

[1] *Dr. MSS.*, 49J78.

[2] On November 15, Todd was in Kaskaskia evidently expecting to start for the Falls. (*Va. State Papers*, i., 358). On December 19, he wrote from the Falls to Charles Gratiot. (See *post*, p. 617).

[3] Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 319; *Dr. MSS.*, 23J103.

[4] Todd to Fleming, August 18, 1779, *Dr. MSS.*, 23J103.

[5] This is an unsettled question. His successors in the Illinois continued to be called deputy county lieutenants. Wickliffe in Morehead, *Settlement of Kentucky*, 174, implies that he did not resign but returned to the county several times. On April 15, 1781, Todd wrote to Jefferson that he still received complaints from Illinois. (Va. *State Papers*, ii., 44). On the other hand he refused to give orders in regard to a consignment of goods to him as county lieutenant on Nov. 30, 1780. (*Ibid*, i., 393).

expressed the intention of going to Kaskaskia the next day leaves no doubt that he was at the former place and makes it probable that he was in the latter.[1] Whether he went or not, he left no evidences of his stay, for affairs by that time had passed far beyond his control. Later he thought of returning, for, in 1781, learning that Virginia was planning to give up Illinois to the United States, he offered his services as surveyor in that country, a position he had previously held.[2] After his departure the civil officers and the French still kept up a correspondence with him, and his interest in the affairs of the distant county ceased only with his death.

As we have seen, one of the last acts of Todd was to deliver the inhabitants into the hands of the military, since the civil government had failed in its principal mission, the maintenance of the troops. Thereafter the army was to collect its own supplies. The method employed by Colonel Montgomery during the subsequent weeks is clearly shown by the following petition which was signed by a large number of the inhabitants of Kaskaskia on December 8, 1779: "To the Magistrates of the district of Kaskaskia, Gentlemen: We ask of you in whom we put our confidence and whom we have elected to govern this country according to the laws which you have caused to be announced to us in your office, is it not full time that you put an end to the brigandage and tyranny which the military have exercised among us so long? Should not the military be content to see that we are depriving ourselves of every necessity in order to furnish their subsistence and have not left ourselves sufficient for the support of our families and of our slaves, from whom we can not obtain any service in a season so severe? Can we with tranquil eyes see the animals, most necessary for agriculture and other work, killed every day?

"You have a sure means, gentlemen, of putting an end to such disorders; but can we even address you in the hope of causing you to see some glimmer of that liberty which has been

[1] *Dr. MSS.*, 50J80.

[2] *Papers of Old Cong. Ind. Papers*, lvi., 97.

so often announced, when you are acting in concert with those who oppress us by taking from us the means of living and from themselves also? We do not believe that it is necessary to report to you in this petition the subject of our complaints, since all the grievances have taken place before your eyes.

"Furthermore you ought to perceive, gentlemen, that the famine has begun to be felt in this country and that we can with difficulty supply with food those who truly merit rations on account of their service and should not be obliged to nourish and warm the useless members of the state. You ought to demand an exact statement of the number to receive rations in order that, when the troops shall have need of asking you therefor, you can deliver what is right.

"Furthermore, notice, gentlemen, that there are in this village only about ten houses which can make remittances and that they are believed to be richer than they really are. We are born free and we wish to enjoy the liberty of true citizens.

"You ought also to observe, gentlemen, that this village has supported all the burden and expense since the arrival of the Americans and that the other villages have felt no burden or a very little. We hope that you will make them contribute to the maintenance of the troops, since they are better able than we are according to their number."[1]

The magistrates took action the next day and embodied the substance of the foregoing complaint to them in a demand on Colonel Montgomery to put an end to the grievances. They pointed out that many useless slaves were being supported in the fort, and that there was a great waste of firewood. Their authority to make this demand was set forth in the following words: "Since our duty exacts that we watch over the public safety and at the same time over the American welfare, we demand, sir, that from now on the troops shall not have the authority to take anything at the houses of the inhabitants without an order from us according to article 13 of the declaration of rights by the assembly of Virginia; which assembly has authorized us to main-

[1] *Menard Col., Tard. Papers*, a copy by the Kaskaskia clerk. Translation by the editor

tain the people of this country in all their rights and liberties. It is there set forth that the military ought to be under the most complete subordination to, and be governed by, the civil power, to which declaration up till to-day the military has given no attention.

"We hope, sir, that you will give attention to our just representation without forcing us to the disagreeable duty of being obliged to appeal to his Excellency, the Governor, and to the Honorable Assembly of Virginia."[1]

Montgomery paid no heed to this memorial or to the threat of appeal to the governor of Virginia. He regarded their demand for a statement of the number of those who were supported in the fort as an insult and an impertinence, and ordered his troops to go from house to house to collect whatever they required, and to shoot the animals on the commons. There were at the time only thirty-eight soldiers in the fort, but with these there were many Americans who had come with their families to settle, and also slaves, all of whom the inhabitants were compelled to support.[2] The winter was a very hard one, the most severe that had been known for years, and the suffering of the people was very great.[3] In spite of this Montgomery proceeded to harsher methods. There is in existence a letter written by him to Deputy County Lieutenant Winston, on March 5th, which shows to what lengths he was ready to go in order to obtain the supplies which he needed. After making the usual demands, he says: "and before that I suffer as much more, I beg you would inform them to put their Guns in good order, as I dont want to take them at any disadvantage. As if they dont furnish I shall look on them as Traitors to the cause of america, and Treat them Accordingly."[4]

Montgomery took the hint in regard to the other villages, however, and went to Cahokia in January, 1780, where he de-

[1] *Menard Col., Tard. Papers*, copy by Kaskaskia clerk. Translated by the editor.

[2] *Memorial of people of Kaskaskia*, to governor of Virginia, May 4, 1781, *Menard Col., Tard. Papers*, original MS. with signatures.

[3] *Can. Archives*, B., 100, p. 370; *Va. State Papers*, i., 338.

[4] *Menard Col., Tard. Papers*. Copy, evidently in Winston's handwriting, and certified by the clerk and Winston.

manded supplies on the ground that the other villages had given in proportion to their wealth. The court of Cahokia agreed that a census of the population should be taken and each person compelled to furnish supplies according to his means. The Cahokians did not have so much cause for complaint as the people of Kaskaskia, for during this winter there were no troops quartered in their village. They preferred no doubt to pay the tax rather than to bring upon themselves a return of the evils they had suffered during the preceding fall, when they had been compelled to receive the troops into their homes, to furnish all supplies, and finally to submit to the seizure of the flour in their mills, which were then sealed with the seal of Virginia. Such acts had alienated the Cahokians, who had been excited to deeds of heroism and self denial under the leadership of Joseph Bowman in the winter of 1778–1779.[1]

When the change of government had failed to satisfy the French and the presence of the soldiers had led to disorder and tyranny, there began a steady stream of emigration to the Spanish bank, which ended in almost depopulating some of the villages of the American Bottom. Among the emigrants were the most important and progressive of the French inhabitants. One of the first to leave was the richest and foremost citizen of Kaskaskia, Gabriel Cerré, who emigrated to St. Louis either in the fall of 1779 or the following winter. Charles Gratiot of Cahokia soon followed his example, and many others went with them "to seek an asylum where they find the protection which is due a free people."[2] Without their leaders the French were less able to hold their own than before. They, however, made their appeal to Virginia, and numerous were the petitions of individuals for the payment of what was owing them. About this time an agent, one Lajeunesse, was appointed to represent the French interests at the capital; but nothing was accomplished, for Virginia had no money to use for investigation or to pay claims, however just,

[1] See *post*, pp. 35, 547, 610.

[2] *Menard Col., Tard Papers, Memorial of Kaskaskians*, to Va. Commissioners, March 1, 1783. Original MS.

against her.[1] In fact it was at this time, as we have seen, that Jefferson wrote to Clark that it would be necessary to withdraw as many of the troops as possible from the territory north of the Ohio, for he need expect no help or supplies from the state.[2]

The people of Illinois did not receive, at this gloomy moment, that assistance from their own officers against their oppressors that they had a right to expect. Instead the justices of Kaskaskia seem to have tried to gain what personal advantage they could from the situation. In the midst of the troubles and poverty of the winter, when the people were attempting to withstand the exactions of Montgomery, the justices of the court were demanding pay for their services.[3] The magistrates found their office, moreover, sufficiently lucrative to wish to retain it; for, when the time came for a new election, none was held, and, with a few changes to fill vacancies, the justices remained the same for over two years. This irregularity is striking when compared with the annual elections for the court at Cahokia. But Kaskaskia was not alone in troubles of this character; the original justices at Vincennes clung to office until 1787.[4]

The court was also accused by Jean Girault, state's attorney, with being lax in the performance of its duty. Many settlers were straggling into the colony and taking up land both within the village by purchase and by grants from the court of unpatented lands, a custom which had been permitted by Todd and continued by his successors. The situation was such that the government in the Illinois could not give heed to the general law of Virginia forbidding this practice; for the immigrants were there, frequently with their families, and had come without making provision for the future, should they fail to receive land to cultivate.[5] Clark himself had frequently approved of protecting the infant colonies by this means, and the officers of Virginia were among the first to accept grants from the court. One of the earliest

[1] *Dr. MSS.*, 50J54.

[2] *Dr. MSS.*, 29J14; see also *supra* lxvii.

[3] *Dr. MSS.*, 50J5. Original MS.

[4] Dunn, *Indiana, passim.*

[5] Dodge to governor of Va., August 1, 1780, *Va. State Papers*, i., 368.

records of a land concession of this character is that of one made to Colonel Montgomery. The Indian agent, John Dodge, received in the year 1780 several such patents.[1] Very few of the French seized the opportunity to obtain such concessions at Kaskaskia and the number was even less at Cahokia, provided no account is taken of Prairie du Pont to which Cahokia had another title. It was not against this practice of conceding land that Girault inveighed; but he critised the court's laxity in not investigating the past of these individuals, who were making their homes in the community, to learn if they were British agents, and its neglect to demand of them the oath of allegiance to the United States and Virginia. He urged the justices to compel all strangers to take this oath immediately or he would be obliged to report them to the authorities. He advised them to avoid such a necessity, for their position was very critical, since they had many enemies.[2]

Girault gave his attention to the execution of the law in other particulars. He forbade the justices to arrest parties without proper hearing, and tried to help them keep the peace by persuading Montgomery to permit the civil authorities to use the military prison so that their commands would be obeyed, a privilege which Montgomery later withdrew.[3]

That protection from military oppression, which might have been expected, was not given by the deputy county lieutenant appointed by Todd. Perhaps it was too much to expect that Winston should succeed where Todd had failed, but at least some opposition to the military exactions should have been attempted. The character of Richard Winston is a difficult one to read, for our knowledge of him depends on the pen pictures drawn by his enemies, and these are not flattering. He came originally from Virginia and had been in Illinois since early in the British period.[4] With other traders he had suffered losses

[1] *Kas. Rec., Land Grants.*

[2] *Kas. Rec., Letters.* Original MS.

[3] *Kas. Rec., Letters.* Original MSS.; Winston to Todd, October 24, 1780, *Va. State Papers*, i., 381.

[4] He was one of the original members of the Indiana Co., *Va. State Papers*, vi., 4. See *Jenning's Journal*, March 10, 1766, *Pennsylvania Hist. Soc.'s* lib.

in the Pontiac war. With Kennedy he was an agent for George Morgan, and had won the favor of Clark at the time of the occupation of Kaskaskia. His nature seems to have been one to inspire distrust rather than confidence, for he was suspected of dishonesty by every man with whom he had business or political relations. His partner Kennedy suspected him of having sold the cargo of a *batteau* at New Orleans and pocketed the proceeds.[1] Murray feared that he was going to play the rogue at one time.[2] Todd left the peltry fund which he had obtained in St. Louis in charge of Winston and Montgomery, and both these financial geniuses made the gravest accusations of dishonesty against each other.[3]

From the fall of 1779 till January 1783, Winston was on account of his position one of the chief men in the Illinois, and in many ways he might have promoted a happier feeling between the French and the Americans. Instead he seems to have done all in his power to intensify the mutual distrust, at least such was the opinion of the best citizens.[4] He had managed to hold together that party which had formerly regarded himself, Murray, and Bentley, as leaders against Rocheblave; and under him this party had gained some accessions.[5] Certainly later the clerk of the court, Carbonneaux, became one of his adherents, as did the important Langlois family and also Winston's successor in the county lieutenancy, Timothe de Monbreun. But the real leaders of the French inhabitants were decidedly hostile to him, and he counted among his opponents some of those who had ardently desired American supremacy and had joyfully welcomed Clark. From the sources of information we can judge that Winston's affiliations were always shifting, and it is difficult to find just where he stood at any one time. That he was jealous of the power wielded by the military is unquestionable, but it seems to have

[1] *Kas. Rec., Court Record.*

[2] Murray to Bentley, May 25, 1777, *Mich. Pio. and Hist. Col.*, xix., 418. The date is wrongly given as 1779.

[3] Mason *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 335, 339; *Dr. MSS.*, 50J9.

[4] *Memorial of Principal Inhabitants* to Va. Commissioners, *Menard Col., Tard Papers.* Original MS.; Dodge to Clark, March 3, 1783, *Dr. MSS.*, 52J78.

[5] See *supra*, p. xxxvi.

been his policy never to take a decided stand, unless he was compelled to do so or saw that some personal advantage would accrue thereby. His relation to Montgomery was hostile, for the two men distrusted each other; but outrageously as they abused each other, the French were always firmly persuaded that Winston was betraying them to the military.

The military situation in the spring of the year was a gloomy one; the time of service of most of the troops had expired, and there was little chance of recruiting more; there was no hope of financial aid from Virginia, and the supplies in the villages of Illinois were exhausted. It was also known that preparations were being made by the British for a concerted attack on the western posts. Under these circumstances there seemed nothing for Clark to do but evacuate the country, leaving a few troops to keep up the courage of the French. He consulted with Todd, after a rapid survey of the posts had been made by the latter,[1] and they decided to concentrate the few troops at their disposal at a fort to be built at the mouth of the Ohio. The spot that was finally chosen, and where Fort Jefferson was erected, was a place called the Iron Mines south of the river's mouth.[2] All the troops at Vincennes were recalled and commissions were sent to the French to raise a company and take possession of Fort Patrick Henry.[3] Orders were also given to Montgomery to retire most of his troops from the villages. But before the preparations for the evacuation of the country could be carried out, news came that the British were already approaching. This expedition was part of a general attack, planned by the British on all the Spanish posts of the Mississippi River in order to prevent any assistance's being given to the Americans by Spain, which had declared war on England the previous year. The British troops from the north and south were to move simultaneously in the spring of 1780, and it was hoped that all the villages from New Orleans to St. Louis would be captured. The energy of Governor Galvez of New Orleans

[1] Todd to Clark from Vincennes, March 10, *Dr. MSS.*, 60J80.

[2] The letters of Clark and Todd are in *Va. State Papers* i., 338 *and* 358.

[3] *Va. State Papers*, i., 358.

in successfully attacking the British posts on the Gulf during the fall of 1779 and the spring of the next year frustrated the southern plan; but the expedition of the north against St. Louis and the villages held by Clark was made ready, and in the spring of 1780 was under way.[1] The British had hoped that their movements were unknown, but during the winter the Cahokians had noticed the activity of the British agents among the Indians, and by the beginning of April they had been warned of the approaching enemy. On the eleventh of that month they sent Charles Gratiot to Clark, who was at the time building Fort Jefferson, to ask his assistance. At the same time the Spanish commandant and Montgomery wrote him news of the approaching danger.[2] Montgomery hastened to Cahokia, where he was immediately joined by Clark just in time to repel the attack. The Spaniards were equally successful at St. Louis. Clark would have given them assistance, had not the strong winds prevented the signals from being heard.[3]

Throughout the summer of 1780 the people were continually alarmed by accounts of Indian attacks and rumors of others. Fort Jefferson underwent a severe siege;[4] the people of Kaskaskia repulsed a large band of Indians on the 17th of July;[5] and the inhabitants of Cahokia made common cause with the Spaniards to defend themselves against an expected attack the following month.[6] Thus at a time when Clark's position was desperate the French inhabitants gave him signal aid, without which the Illinois would have been lost. It was with a company of 300 French, Spaniards, and Americans that Montgomery marched northward to make reprisals against the Indians around Rock River, and, if we are to believe the Frenchmen, the failure of that

[1] *Mich. Pio. and Hist. Col.*, ix., 544; *Can. Archives*, B., 43, p. 153; this vol., p. 531, 539; Gayarré *Hist. of Louisiana*, iii., 126 *et seq.*; Hart. *Amer. Nation*, ix., 285.

[2] Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 354; *post*, p. 531.

[3] The most important documents of the *Hald. Col.* in regard to this attack have been printed in Mo. Hist. Soc.'s *Collections*, ii., No. 6.

[4] See *post*, p. 619.

[5] Va. *State Papers*, i., 368; *Can. Archives*, B., 100, p. 430.

[6] See *post*, p. 59, 61.

expedition was due to Montgomery's incompetence.[1] Meanwhile Clark led the expedition against the Shawnees, an expedition which might have been more successful had not a series of events, beginning at Vincennes, led to a further estrangement between the French and Americans and induced the French at Vincennes to give the Indians information of the movements of the Americans.[2]

These events are connected with the western career of a French officer, Augustin Mottin de la Balme. His presence in the Illinois may, probably, be attributed to a project conceived by Washington and approved by Lafayette and the French minister, Luzerne, for arousing the Canadians to unite their interests with those of the Americans and French in an effort to win independence. In this way Washington hoped to conceal his real intentions of attacking New York as soon as the expected French fleet and soldiers arrived, and at the same time compel the withdrawal of part of the British forces to Canada.[3]

[1] See *post*, p. 541.

[2] Bentley to Clark, July 30, 1780, *Dr. MSS.*, 50J51; also *post*, 617.

[3] This hypothesis is based on the identity of time and action of the De la Balme expedition with the time and purpose of Washington's plan. There is no other indication of a connection between them. Washington wrote to Lafayette on May 19, 1780, about a proclamation which it had been decided some time before that Lafayette should write to incite the Canadians to rise against the British; and on June 4th he wrote to Arnold telling him to have the proclamation printed, which was done. (Sparks, *Washington*, vii., 44 and 72.)

On March 5th of the same year De la Balme wrote to Washington for a general letter of introduction, as he was intending to travel in a short time to the "Southern States of America" where he might be confounded with the many adventurers. (*Washington Papers*, Lib. of Cong.) By April 24th he had changed his mind and it was known that he was thinking of going to the Illinois, for a Mr. Barriere writes him on that date a letter in which he mentions that purpose. (*Can. Archives*, B., 184, vol. 2, p. 417.) On June 27th De la Balme was at Fort Pitt treating with the Indians; in this he was associated with Godfrey Linctot, a Virginian Indian agent. His success was reported to Luzerne, French minister to Congress. (*Can. Archives*, B., 181, p. 371. There is a good calendar of this report in *Can. Archives* for 1888 p. 865.) His acts at Fort Pitt and later in the Illinois, as narrated in the text, show that he was working in the interests of the alliance between the United States and France. That he was not sent to the West solely in the interests of the latter country, as has been suspected, (Turner, *Amer. Hist. Rev.* vol. x., No. 2, p. 255, note 2.) is further proved by the fact that the French despatches of the time show that the French government expected that the territory north of the Ohio River would be conceded to the states by a future treaty. (See Views of the Government of the King, and Vergennes to Luzerne September 25, 1779. Doniol, *Histoire de la Participation de la France*, iv., 224 and 360.) The opposition which De la Balme showed to the Virginians is explained by the conditions he found in Illinois as narrated in the text. He was in no way responsible for the interpretation of his actions by Bentley, Winston, and McCarty, who reported that he was hostile to the Americans (See *Dr. MSS.*, 50J51; Va. *State Papers*, i., 381; this vol., p. 617); nor altogether for the misconceptions of the French. (This vol., p. 555; *Can. Archives*, B., 184 vol. 2, pp. 421, 442.) The only fact that is at all suspicious is the manifesto to the Canadians, found among De la Balme's papers, in which there is no mention of the United States. (*Can. Archives*, B., 184, vol. 2, p. 498.); but this may have been due to the feeling of antagonism among the French against the Virginians.

De la Balme had come to America, highly recommended by Franklin and Silas Deane, to offer his sword to the cause of the colonies.[1] He was commissioned inspector general of cavalry by Congress in July, 1777, but feeling himself slighted in not being appointed to the command of that division of the army, he had resigned on October 3d of the same year. He remained in this country, however, and established himself in business at Philadelphia.[2] Late in the spring of the year 1780, he was sent West to start a movement among the French of Illinois which it was hoped would spread over Canada.

On the 27th of June he was at Fort Pitt, where he joined Godfrey Linctot in his efforts to win the Indians to the cause of the allies, France, Spain, and the United States; but he found the conditions there less favorable for his mission than he had expected, on account of the hostility of the Indians to the Americans.[3] On reaching Vincennes in July he realized that the presence of the Virginians, who had made themselves so obnoxious to the French, was a hindrance to his plan, for no campaign in which the Virginians were to join could be promoted.

On the other hand the part of De la Balme's program in regard to assistance from France was most eagerly received, and the emotional French were soon saying that their beloved father, the king of France, was to take control of the West again. It was this message that they gave to the Indians, who still retained their old affection for their allies. In Kaskaskia the message was received in the same way. De la Balme came with a letter of recommendation from Alexander Fowler, a former British officer of the village

On the other hand there was in the manifesto no intimation that France was intending to recover her dominion over Canada.

On account of the betrayal by Arnold, or for some other reason, Washington changed his plans and gave no further attention to arousing the Canadians. (Sparks, *Washington*, vii., 44, note.)

Previous to the arrival of De la Balme, on May 10, 1780, another French agent, Jean de St. Germain, was at Kaskaskia. He claimed to have come directly from France and to be acquainted with the desires of the king. He united with John Montgomery and Richard Winston in a proclamation to the Indians, in which they were assured of the friendship existing between the French, Spanish, and Americans. (Can. Archives, B., 122, p. 478). Rocheblave writes that St. Germain landed at Charlestown the previous winter and went to the West (*Ibid*, B., 122, p. 545.) I have found nothing to connect him with De la Blame.

[1] *Can. Archives*, B., 184, vol. 2, pp. 390 and 381.

[2] *Ibid*, pp. 390, 391, 392, 394; *Papers of Old Cong.*, xl., pp. 144, 168.

[3] *Can. Archives*, B., 181, p. 271.

who had joined the American cause.[1] The best citizens of French origin in this village and in Cahokia welcomed him with open arms, or as Winston said, "just as the Hebrews would receive the Masiah."[2] He had very little to say to Montgomery and his soldiers, for his mission was not to them, and in the existing circumstances he could not risk alienating the French by assuming a friendship for the Virginians; nor did Montgomery take any notice of his presence. The Spanish commandant of St. Louis seemed also far from cordial.[3] De la Balme's proposed plan was the raising of a company in the Illinois to occupy Detroit, which was known to be ready to yield, and then to proceed to Canada, where he expected to be joined by thousands of the inhabitants.

Considering the object of his mission and the conditions existing in the French villages, his address to the inhabitants proves his ability for extricating himself from a difficult position. "It is well," said he, "that you know that the troops of the state of Virginia have come here against the wish of the other states of America, as I learned from members of Congress before my departure from Philadelphia, and that the different deputies who compose that body are ignorant of the revolting proceedings and acts of violence, which the troops are practicing towards you and which are not only blameable but condemnable at the tribunal of the whole world. . . . Therefore it is very important for you, gentlemen, on account of the pressing circumstances, that without loss of time you address yourselves to the minister of France in order to force the state of Virginia to redeem the paper money, the letters of exchange, and other claims, which you have in your hands, and to recall from among you the troops which are oppressing you contrary to all right, since you espouse the cause of the king of France and his allies; troops which, far from preserving you from the fury of the cruel enemies, render you victims of a war, which the Indians, who have been constantly friends of the French, would never have made without them." He then

[1] *Menard Col., Tard. Papers.* Copy by the clerk.

[2] Mason, *John Todd Papers*, 340.

[3] Bentley to Clark, July 30, 1780, *Dr. MSS.*, 50J51; McCarty's Journal, *post*, p. 620; *Dr. MSS.*, 50J66; *Can. Archives*, B., 184, vol. 2, p. 468.

urges them to join the expedition against Detroit, "which will win the confidence of the honorable Congress and convince the king of France of the real interest which you take in a cause for which he has already made great sacrifices and which will procure for you in a little while all imaginable assistance from him."[1] That De la Balme deceived the French by promising them the assistance and co-operation of the king of France, and that his words led them to believe that the royal troops would soon be seen again on the banks of the Mississippi cannot be denied; but if he came in accordance with the plan of Washington and Lafayette, he was following his orders as far as it was possible under the very perplexing conditions which he found in the Illinois.

Although the French received him enthusiastically, their power of aiding the expedition was not great and it was only with a handful of men, about eighty French inhabitants and Indians,[2] that De la Balme started for Detroit. The standard which waved over this little company was that of France.[3] He successfully attacked the post at the Miami, but was in turn defeated and killed by the Indians.[4] At the time of his departure for Detroit he had sent a detachment from Cahokia under Hamelin against St. Joseph, which succeeded in sacking that place but was overtaken by a body of merchants and Indians and defeated.[5] Thus ended the attempt at arousing the Canadians. Before the arrival of De la Balme in the West, the policy of Washington and Luzerne had changed and they left their agent to effect what he could alone.

The death of De la Balme did not bring this interesting episode in the history of the Illinois to an end. The villagers of Cahokia had suffered a severe loss at St. Joseph, for all the members of their expedition were either killed or captured except three. The Cahokians, wishing for revenge, hurriedly raised a troop of twenty men and asked aid of the Spanish government, which throughout

[1] *Can. Archives*, B., 184, vol. 2, p. 434. Translation by the editor.

[2] LeGras to Clark, December 1, 1780, *Dr. MSS.*, 50J75.

[3] *Papers of Old Cong.*, xlviii., 1; *Menard Col., Tard. Papers, Memorial of Kaskaskians*, to Governor of Virginia.

[4] *Can. Archives*, B., 100, p. 486; *Va. State Papers*, i., 465.

[5] *Mich. Pio. and Hist. Col.*, xix., 591; *Va. State Papers*, i., 432.

the year had made common cause with them in repelling and attacking the enemy, and which now sent thirty men to their assistance. With the addition of two hundred Indians[1] they marched in midwinter, within a month of their previous defeat, across Illinois, and in the first days of 1781 took and sacked St. Joseph, returning home immediately.[2]

The failure of De la Balme is not of much importance in our narrative, but the effect of his presence on the people of the Illinois was tremendous. His appeal to them as Frenchmen, their awakened pride in the name, the expectation of French intervention in their behalf, were all factors in the events which followed. From this time there is no mistaking their animosity towards the Virginians. Their eyes had been opened by the harsh treatment of the frontiersmen, but they had submissively accepted their fate without daring to do more than petition their oppressors. On account of the false hope aroused by De la Balme they now dared to adopt open measures, for was not their former king

[1] McCarty to Slaughter, January 17, 1781, *Va. State Papers*, i., 465.

[2] *Mich. Pio. and Hist. Col.*, xix., 600. When the expedition returned the Spanish commandant at St. Louis sent a greatly exaggerated account of the campaign to the home government. In this he said that sixty-five militia men from St. Louis had marched, under the greatest difficulties, across the country and taken possession of an important British post and all the country north of the Illinois River in the name of the king. (The account was printed in the *Madrid Gazette* of March 12, 1782, and may be found in Sparks, *Diplomatic Correspondence*, iv., 425.) This immediately aroused anxiety in the minds of the American ministers in Europe. (See ref. to *Diplom. Cor.* above and *Works* of Franklin, Bigelow, ed., vii., 444.) That Spain desired to win the east bank of the Mississippi is unquestioned (See Doniol, *Hist. de la Paticipation de la France*, iii., 393 *et seq.*), and that she intended to make the utmost of this unimportant success at a minor British post is plain, but the motive for the expedition came from Cahokia and in assisting his neighbors in expeditions on the eastern bank, as in this case, the Spanish commandant was doing no more than he had done at least twice before within the past year. In taking possession of the territory north of the Illinois River, he was not encroaching upon the region occupied by the Virginians any more than did Galvez when he captured Mobile and Pensacola, for the limits of the county of Illinois extended only to the Illinois River.

The best account, because unbiased and given in an incidental way, is that of McCarty, who in writing the news of Cahokia, where he was, states the facts as I have given them above. Historians have, however, followed exclusively the Spanish account and have made more of the episode than it was worth, for its only importance was the use Spain may have made of it in her diplomacy, provided there is any basis for that suspicion. The most extended account based on the Spanish report will be found in Mason, *Chapters from Illinois History*, vi., 743; see also Winsor, *Westward Movement*, 189; Hart, *Amer. Nation*, ix., 286.

It is worth noticing that the story of the defeat of the Cahokians at the time of the De la Balme expedition and the subsequent victory with the assistance of the Spaniards was heard by John Reynolds from the village people, but the date of the two had been transferred to an earlier time, namely 1777 and 1778. The honor of the victory of the second attack, which, also, according to tradition was for revenge, was popularly ascribed to J. Bte. Mailhet of Peoria (Reynolds wrongly says Paulette) who must have been at Cahokia at the time, since the Peorians had been driven out of their village by the numerous British and Indian attacks in the previous summer. The facts of this tradition support McCarty's testimony. (Reynolds, *Pioneer History*.) Strangely enough Mason (*Chapters from Illinois History*, 275) accepted the date given by Reynolds and wrote an account of French attacks on British posts before the arrival of Clark.

interested in the fate of his distant and faithful followers? The citizens of all the villages united in a memorial to the governor of Virginia, in which they wrote that they had decided not to receive any more troops in their villages, except those which should be sent by the king of France; the presence of the Virginians had brought them into war with the Indians who before had been friendly and they had suffered therefrom; they promised, however, to guard the frontiers of Virginia from attacks by the Indians.[1] In each of the villages memorials were also drawn up to be sent to the French minister, Luzerne, in which were set forth with great detail the grievances which the inhabitants had suffered at the hands of the Virginians. These petitions, however, never reached their destination, since they fell into the hands of the British with the other papers of De la Balme.[2]

The best account of the changed attitude of the French is found in McCarty's journal. In the summer of 1780, he had been summoned with his troops to Fort Jefferson to give aid against a party of British and Indians attacking it. On his return to Kaskaskia early in August he found that De la Balme had been in the village and that, "the people in General seem to be Changed towards us and Many things Said unfitting," and again, "as things are now the people in General are allienated and Changed from us."[3] The short lived hope of the French did them little good. For a moment they were able to raise their heads like men, but with the defeat and death of their leader their hope was dashed to the ground and the weary wait for other means of relief began again; for, oppressed by the military and hearing nothing from Todd, they could only conclude that Virginia had withdrawn her support and that they were left to do for themselves until some other power should take them under its protection.[4]

[1] *Can. Archives*, B., 184, vol. 2, p. 506.

[2] The memorial from Cahokia is printed in this vol., p. 535; for that from Vincennes see *Can. Archives*, B., 184, vol. 12, p. 421. The petition from Kaskaskia, which would have been particularly valuable for the history of Clark's occupation of the village is not calendared in the *Hald. Col.* and has probably been lost. A very brief memorial to Luzerne was sent by the Kaskaskians after the death of De la Balme and a copy of it is in the *Menard Col., Tard. Papers*.

[3] See *post*, p. 620.

[4] *Va. State Papers*, i., 382.

During the fall the Americans carried out the plan which they had determined upon before the attack of the British and which subsequent events had postponed, namely, the partial evacuation of Illinois. At the time of the attack on Fort Jefferson the troops had been recalled from Vincennes. Montgomery after his return from the relief of the fort remained some time in Kaskaskia and on October 18th[1] went down the river to New Orleans, leaving a bad name behind him, even among the Americans, on account of his extravagance and dishonesty. He did not add to his reputation by deserting his wife for "an infamous girl" whom he took with him.[2]

Captain Rogers, who was left by Montgomery in command of the few remaining troops at Kaskaskia,[3] was to prove himself a worse tyrant to the French than his predecessor had been. Two other men had appeared in the Illinois in the spring or summer of this year whose names were also to become execrated, John Dodge and Thomas Bentley. John Dodge was born in Connecticut, had become a trader at Sandusky before the outbreak of the Revolution, and, since he showed his attachment to the cause of the colonists, was arrested by the British, who carried him to Detroit and later to Quebec, whence he escaped in 1779.[4] In that year Washington recommended him to Congress as a man who would be useful in the West. He went to Virginia, won the friendship of Jefferson, and was appointed Indian agent.[5]

[1] General Orders of Montgomery, *Dr. MSS.*, 50J70.

[2] Mason, *John Todd Papers*, 335. Montgomery's defence of his actions may be found in Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 351 *et seq.* On April 23, 1782, he wrote a letter of justification to George Webb, in which he said: "Had I made a forton in the time people mout had Reason to Suspected me But to the Contreary I have spent one or at least my all But am in hopes to Be Eable to Live a poor and privet Life after wards it is now almost fore years That I have not Receive a shilling from Government Not Withstanding I advanced Every Shilling I had & straned my Credit till it Became Shred Bear Rather than draw Bills on the State." Copy from Va. State Lib.

Montgomery was born in Botetourt county, Va., about 1742. His use of English shows that his education was limited. He was one of the celebrated party of "long hunters" in 1771. His experience in Indian warfare had fitted him for such an undertaking as that by Clark against the Illinois. He was killed by the Indians in Kentucky in 1794. (English, *Conquest of the Northwest*, i., 137.)

[3] Letter of Winston, *Dr. MSS.*, 50J71.

[4] Woodward, *Dodge Genealogy; Dr. Notes, Trip* 1860, 11J153; Dodge's *memorial* to Cong., January 25, 1779, *Papers of Old Cong.*, xli., 2, 441.

[5] *Dr. MSS.*, 46J52 and 29J36. Dodge was one of the refugees from Canada and Nova Scotia who received compensation in land for their losses during the Revolutionary War. He must have died before 1800, since his heirs were granted 1280 acres of land in that year.

The second, Thomas Bentley, had been well known in the village at an earlier period. On an accusation made by Rocheblave of intriguing with the Americans he had been arrested and sent to Quebec, where he remained until the spring of 1780, when he made his escape.[1] He had asserted his innocence in several persuasive memorials and had convinced even Governor Haldimand of his good faith. As a further evidence of his allegiance to England he went to Virginia and by his intercession for British prisoners with the government gained for Governor Hamilton some mitigation to the harshness of his captivity and for Judge Dejean of Detroit, release on parole.[2] Bentley's double dealing at this time is evident from his letters to the Americans and to the British. While he was writing to Clark concerning the activities of De la Balme and wishing the Americans success in their attack on the Indians, he was writing to the British officers that Illinois could be easily captured by a few hundred soldiers.[3] In his deceit he was eminently successful, for Clark later wrote him a certificate of good character, in which he asserted that the latter had given great assistance to the cause;[4] and the Governor of Canada was so persuaded of his honest motives that he thought it would be wise to allow Bentley to remain quietly in the Illinois, as he would be of great use there. On his return to Illinois, Bentley was firmly resolved to make the French pay for his captivity, for he believed that they had all been in a plot with Rocheblave against him.

The operations of Bentley and Dodge, who formed a partnership for making the most out of the situation, began while Montgomery, who gave them countenance, commanded in the Illinois. They bought up the claims of the inhabitants against Virginia for trifling sums, in doing which it was suspected that they made

Amer. State Papers, Pub. Lands, i., 106. There are in existence two memorials to Congress narrating his earlier misfortunes. *Washington Papers*, xciii., 35; *Papers of Old Congress*, xii., 2, 441.

[1] See *supra*, p. xxxv., n., 2.

[2] Bentley to De Peyster July 28, 1780, *Mich. Pio. and Hist. Col*, xix., 598.

[3] His most important letters are printed in *Mich. Pio. and Hist. Col.*, xix. 548, 560. For his letter to Clark see *Dr. MSS.*, 50J51; *Can. Archives*, B., 185, vol. i, 58, 62.

[4] *Va. State Papers*, ii., 153.

use of public funds, and their financial operations in purchasing supplies for the troops also aroused suspicion. Such conduct called forth a characteristic letter from McCarty to Todd. As McCarty was feeling at the time particularly angry with the officers of the Virginia line, because he had been arrested by Montgomery for bringing an accusation against Dodge,[1] his testimony cannot be taken without reserve; but that there was some truth in what he wrote is abundantly proved by letters from Clark and others. The letter shows not only the situation brought about by the dealings of the two financiers but also the continued exactions of the troops and the effects of the visit of De la Balme. It is addressed to Todd. "When shall I begin to appolagize for the Different light and Oppinion, I saw and had of You when hear last Year, and now. the Spirit of a free subject that you inculcated thro' your better knowledge of things was hid to me. In short, Honour requires me to render You the Justice you desarve, and at the same time to inform you the reason of my altering my notions of things. I then thought the Troops hear would be duly supported by the State, and the legal expense for them paid to the people Justly. I had thought the Duty of an Officer who had any Command was to see Justice done his Soldiers, and that they had their Rights without wronging his Country. I then thought that it was also his Duty to fore see and use all manner of occonomie in Laying up provisions for these Soldiers, to carry on any Opperation that his supperiours should judge expedient to order him on, without any regard to private interests whatever, but for the Good of the State he served. I then never Imagined that an Agent would be sent hear to Trade in connection with a Private Person to Purchase the Certificates from the people at such a rate which must appear scandalous & Dishonorable to the State.

"To the contrary of all which I am now convinced by occular Demonstration: in short we are become the Hated Beasts of a whole people by Pressing horses, Boats &c &c, Killing cattle, &c &c, for which no valuable consideration is given: even many

[1] See *post*, p. 621. For the charge that public funds were illegally used, see *post*, p. 481.

not a certificate which is hear looked on as next to nothing."[1]

McCarty by this letter gave warning of his change of party allegiance. He had up to this time sided with the military against the civil authority and the French. From now on he attempted to win the confidence of the latter, in the oppression of whom he had formerly taken active part. Both he and Winston advised the people to refuse all supplies to the troops and starve them out of the country. For this reason Winston also found his relations with the military even more strained than under the rule of Montgomery. He wrote to Todd that: "They Stretch greatly to bring the Country under the military rod and throw of the Civil Authority. So fond they are to be medling with what is not within their Power. . . . Since the arrival of this Captain Bentley, there has been nothing Butt discord and disunion in this place. . . he has left no stone unturned to Extinguish the laws of the State, and to revive the Heathen Law, being well accustomed to Bribes and Entertainments. Government ought to regulate the trade as there are many abuses Committed under Military sanction."[2]

It is unnecessary to give the details of the trying winter of 1780-1781, for it was but a repetition of the previous one. The inhabitants wrote that the government was like that of a town taken by assault. Captain Rogers, who was young and inexperienced, was blinded by the advice of the crafty Dodge and Bentley.[3] That the means they used to obtain provisions were cruel is proved by the piteous appeals of the inhabitants to the governor. That their methods were not always honest was firmly believed by many officers and by Clark himself. Captain Robert George in writing to Clark on October 24th after mentioning the almost starving condition of the troops, says that Montgomery told him that, "Capt. Dodge has purchased one Thousand bushells of corn and Ten Thousand lb^s of Flour, which is all that is to show from a cargoe of Eleven Thousand hard dollars worth of Goods sent by Mr Pollock to You, together with

[1] *Va. State Papers*, i., 379.

[2] Winston to Todd, October 24, 1780, *Va. State Papers*, i., 380.

[3] The court showed more spirit in opposing the soldiers. There are several interesting letters in regard to their exactions in the *Menard Col., Yard. Papers.*

about five or six thousand Dollars worth from this place. . . . I have sent for all the State Horses at Kaskaskia, but it appears there is but few — what's gone with them God knows, but I believe there will be a Very disagreeable accompt rendered to you of them as well as many other things when called for."[1] In March, 1781, Clark was thoroughly aroused by the complaints of the administration of the finances in his department, and in writing to Jefferson says: "I Received your dispatches by Capt. Sullivan. That part concerning the Bills counter^{sd} by Maj. Slaughter, and letters of advice, is something curious. It's surprising to me that Maj. Slaughter, as an Officer of the State, would suffer these persons to persevear in their villany, was he as he hints truly sensible of the principal that actuated them. You know my Sentiments Respecting sev^{rl} persons in our Imploy. Those he accuses, are gen^{ly} men of fair Character. I have long since determined to conduct myself with a particular Rigour towards every person under me. They shall feel the stings of Remorse, if capable, or the sweets of public applause, either as they demean themselves. . . . Those gentlemen Major Slaughter points at, with himself, may expect to undergo the strictest scrutiny in a short time, as Orders are prepared for that Purpose. Mr. Jno. Dodge & others, of the Illinois, also."[2]

While the officers were using their positions for private gain and reducing to abject poverty the French by their levies, the troops of Virginia were suffering the severest hardships. In August, 1781, Colonel Slaughter wrote from the Falls of the Ohio: "The situation of my little Corps at this place at present is truly deplorable. destitute of clothing, vituals & money, the Commissaries have furnished them with little or no provisions these three months past nor dont give themselves the least concern about it." Montgomery wrote that at Fort Jefferson there was not a mouthful for the troops to eat, nor money to purchase any, and that the credit of the government was threadbare. On

[1] *Va. State Papers*, i., 382. For other evidence of dishonesty see Slaughter's letter, January 17, 1781, *Va. State Papers*, i., 440. Jefferson was convinced of Dodge's dishonesty, *Dr. MSS.*, 51J17. In the petitions of the Cahokians to Virginia it is stated that public supplies were used to buy in the drafts and other forms of credit, see this vol., p. 481.

[2] *Va. State Papers*, i., 597.

August 6, 1781, Captain Bailey wrote from Vincennes: "My men have been 15 days upon half allowance; there is plenty of provisions here but no credit. I cannot press, being the weakest party."[1]

The contest of Rogers, Dodge, and Bentley with the court was brought to a crisis at the end of January by the acts of the last. Bentley was inspired by his desire for revenge, and his malice is shown by a long letter which he addressed to, "The inhabitants particularly those who are not my friends," wherein he sets forth his grievances at length. There was little that he could say by way of accusation, so he had recourse to abusive language. The letter is too long to quote, but a few extracts will give an idea of its character. "I know that most of you are mortified at seeing me succeed in surmounting the difficulties with which you together with that rascal Rocheblave, Cerré, and others have burdened me. I am persuaded that there is not one among you in this village who did not wish to crush me under the weight of my misfortunes. I know that it is a crime for a damned Englishman to remain among you. The Irish suit you better. They are your equals in perfidy, lying, flattering, and drinking tafia. . . . . Some infamous vagabonds have had the audacity to demand an inspection of my books. Nothing but ignorance without parallel, joined with the most complete Irish impertinence could have thought of that. A man of the least honor would not have conceived such an idea.

"I am informed that the cause for which you came was concerning some tafia given to the negroes. On this subject I satisfy you on the honor of a man of integrity that it was not from me that they had it. . . . .

"I am informed that Lachance and Brazeau are getting together all the corn for M. Cerré. Why should not I have the same liberty since perhaps I should give better merchandize and at a better bargain. The reason is that M. Cerré, concerning whom I will prove some day that he is a man without moral feeling, is a Frenchman and I am a damned Englishman."

[1] These letters are printed in *Va. State Papers*, ii., 306, 313, 338.

A suit brought by Bentley against Richard McCarty and Michel Perrault was begun in the court of November, 1780; but the court refused Bentley any recognition until he had taken the oath of fidelity to the United States and Virginia. In the January court Bentley appeared with two Americans and said he was ready to take the oath. This the justices tendered him in the French language, which both he and his companions understood; but Bentley refused to take it, claiming that it was the oath of office that they were offering him. He immediately left the court and soon after returned saying that he had made oath before Captain Rogers. The court, however, stood firm in regard to its rights.

Rogers took up the matter and wrote to the court that he was surprised at their audacity in not recognizing his certificate given to Bentley. "It seems to me that Mr. Bentley has the same right to justice as you yourselves and you can be assured that I can give reasons and proofs to impartial justices of his conduct which will make him appear perhaps a better friend of the state than you, since your court appears to be one for injustice and not for justice. And should you dare to refuse my certificate in the case of the oath of fidelity, I will take it on myself to set your court aside and become responsible for the consequences. You have only to consider and render justice or I will do what is mentioned above."

The court was not frightened into submissiveness, but answered: "We have received your letter of to-day in which you give us over your signature the most complete mark of your capacity in the trust which you imagine you hold.

"We do not doubt the desire on your part to make yourself absolute master; but we have acts of the legislative power of the state of Virginia to govern us and to which we believe we are bound to conform, even as you are yourself, when we require your assistance.

"As to the injustice with which you charge us, there will, perhaps, come a more happy day when we shall prove our good faith, which is always the only motive which leads honorable men.'

Possibly Bentley realized the weakness of Rogers threat, for he now drew up a protest against the action of the court in which he appealed to Virginia. In the February session the court considered the protest, after previously receiving the promise of support from the county lieutenant, Winston. They affirmed that the right oath had been tendered to Bentley, and offered again to permit him to take it either before the court, one of the justices, or the county lieutenant; if he did not wish to do this he was permitted to bring in and show the oath which he claimed to have taken.

Bentley's answer was a public announcement that he was starting for Virginia to carry his case before the governor and council.[1] Another reason for his going was his desire to collect the money for the certificates which he and Dodge had bought up, and about the first of April he together with his two assistants, Dodge and Captain Rogers, departed.[2]

This proceeding of Bentley called for immediate action on the part of the French in order to counteract the influence which would be exerted against them, and it was decided to send representatives to Virginia. But there were preparations to make before they could take their departure. Besides the affair with Bentley the inhabitants wished to send the bills and accounts of the people against the state, and asked Cahokia to unite in this. The Kaskaskians chose Richard McCarty and Pierre Prevost to represent

[1] All the papers here indicated belong to the *Menard Collection* and are therefore copies from the *Kaskaskia Register*, except the letter of the court to Rogers, which is among the *Kaskaskia records*. They are all written in French. Besides those mentioned in the text are two certificates that the oath tendered to Bentley was the oath of fidelity, one by Winston and the other by Daniel Murray. The latter had been brought into court by Bentley himself to witness the taking of the oath. The only explanation of Bentley's action is that he feared the news of his having taken the oath would reach Canada.

[2] *Va. State Papers*, ii., 258 and 260; *Dr. MSS.*, 51J52. After arriving at the Falls of the Ohio, criticisms of his conduct came to the ears of Captain Rogers and he wrote a letter to Governor Jefferson defending himself. He accused Winston and McCarty with being the authors of his difficulties by persuading the inhabitants not to furnish provisions for his troops; and had not Bentley offered his personal credit the troops would have starved, although meat was abundant. He enclosed the affidavits of officers and citizens to prove his statement. He ended by writing: "I cannot conclude without informing you that 'tis my positive opinion the people of the Illinois & Post Vincennes have been in an absolute state of Rebellion for these several months past & ought to have no further Indulgence shewn them, & such is the nature of these people, the more they are indulged, the more turbulent they grow — & I look upon it that Winston & McCarty have been the principle instruments to bring them to the pitch they are now at." (*Va. State Papers*, ii., 76.)

§ I should have given greater weight to the testimony of this letter, were not the character and actions of Bentley and Dodge at this and other times well known from various sources. See this vol., pp. 475, 621; *Kas. Rec., Petitions, etc.*

them. The agreement with them was made on the fifth of May and signed by forty-one inhabitants, the most representative of the village.[1] The people of Cahokia had not learned to trust McCarty, even after his change of parties, for they remembered his arrogance and tyranny while he commanded the troops in their village. They therefore chose only Prevost.[2] Meanwhile the clerk of the Kaskaskia court had prepared copies of all the papers throwing light on the hard treatment the people had endured and all other matters. These were countersigned by Richard Winston, deputy county lieutenant, who at this time was supporting the French party. A five page memorial was written to the governor setting forth in detail the grievances of the people and was signed by sixty-two Kaskaskians.[3]

It was an unpropitious time to petition Virginia, since the scene of war in the East had been shifted to her territory and she could give little heed to her western dependencies. The Kaskaskia papers did not, however, reach their destination; for one of the bearers, Richard McCarty, while on his way was met and killed by the Indians and his papers carried to Detroit. What became of Prevost is not known. This event was to bear immediate results. Learning from McCarty's papers that the French were heartily weary of the Virginians, the British officers determined to use other means than war to recover their dominion over the Illinois.[4]

Since Clark with his half-naked Virginians had surprised them

[1] *Kas. Rec., Pol. Papers.*

[2] See *post*, p. 479.

[3] *Menard Col., Tard. Papers*, the original memorial with signatures. A copy of the memorial is in *Papers of Old Cong.*, xlviii., 1. A similar one was sent from Vincennes on June 30. *Va. State Papers*, ii., 192. It is from the papers prepared at this time that the foregoing narrative is largely drawn. They never reached Virginia, but in the year 1787 these same papers were given to another agent, named Tardiveau, who had them in his possession when he died. As he was indebted for a considerable sum to Pierre Menard, the later lieutenant governor of Illinois, the judge of Cape Girardeau, where Tardiveau was living previous to his death, turned them over to Menard. These I found in a warehouse on the banks of the Mississippi at Fort Gage, Illinois; and they have been presented by their owner, the grandson of Pierre Menard, to the Illinois State Historical Library.

[4] De Peyster to Powell, July 12, 1781, *Mich. Pio. and Hist. Col.*, xix., 646. See also *Papers of Old Cong.*, xlviii., 19. Since the papers, which should have been in the possession of McCarty at the time of his death, were in Kaskaskia in 1787 (see previous note), it is necessary to conclude that McCarty did not carry with him the important copies from the record-book and that Prevost, who was to have carried them, never started or returned with them, or else that duplicates were made for the two messengers. The last alternative is probably the correct explanation.

on that July night in 1778, the people of Illinois had passed through many phases of feeling towards the Americans. They had at first rejoiced that at last the liberty which had been the subject of their dreams was to be enjoyed. There followed a few months of peace under Clark's mild rule, when the French actually stripped themselves of their property to supply the troops with necessities and to further the cause which they had adopted. Then the anxious days came when the vandalism of the troops and the doubt about the payment for their goods made them less jubilant. They received Todd with his civil government as a prophet of a new era. Todd had failed and had handed them over to the military, and Montgomery had succeeded in so thoroughly cowing them, that their power of opposition was weak. De la Balme had aroused them by the new born hope of once more coming under the dominion of France, and he too had failed; but their pride in the name of Frenchmen had been awakened and from that hour their opposition to the Virginians was more forceful. The number of troops in the Illinois under Rogers was not large, so their boldness had little cause for fear from that source; but the long struggle against poverty and tyranny was telling on their courage, and many were beginning to look to England, their allegiance to which they had so lightly repudiated, as a power that might possibly offer them protection. The feeling was not an active force, but simply an indifference in regard to what might happen. The intercourse with Canada had not been completely broken off by the war, for the French there found opportunity now and then to send their goods to their brothers in the Illinois.

This feeling of a possible renewal of relations with England was not confined to the French of the Northwest. Among the western Americans also the same attitude was to be found. George Morgan, writing at this time, mentions a letter he had received in regard to Kentucky, where the indifference to the American cause appears to have been widespread, due largely to events somewhat similar to those affecting the Illinois.[1]

[1] *Dr. MSS.*, 46J59.

It was this feeling that gave the British hope that they might persuade the French to renew their allegiance to the British crown. In June the lieutenant governor of Michillimackinac sent six men to the Illinois to see what could be accomplished. In the three accounts, printed in this volume,[1] their exact mission is differently described; in one it was to excite the people to offensive action against the Spaniards, in another to raise militia to be paid by the British, and in the third to make a commercial treaty. The agents made the mistake of going first to St. Louis, probably to open negotiations with the French of that city, who appear to have been as discontented as their relatives on the other bank. They were arrested by the Spanish commandant, Cruzat, and a letter addressed to the inhabitants of Kaskaskia and Cahokia was found in their possession. A copy of this letter was sent to Major John Williams, who had replaced Captain Rogers at Kaskaskia.

Cruzat gave every appearance of acting in good faith towards the Americans in this matter, and evidently did arouse the discontent of the people in the Illinois who felt that their letter should have been sent to them. But the Spaniard was crafty and no doubt would have been willing to see the eastern bank pass again into the hands of the British in order that Spain might reconquer it.[2] Cruzat was clever enough to persuade Linctot, a Virginia Indian agent at the time in St. Louis, and possibly Gratiot, of his loyalty to the Americans. This may be seen by the letters of these two written to Clark, July 31 and August 1, in praise of the action in withholding the letter and messengers from the French of the American Bottom. But six weeks before those letters were written the Spanish governor had reached an understanding with the Illinois people, and two of the British agents were permitted to go to Cahokia, provided they found bondsmen. The agents accomplished very little, however, owing to their initial mistake; but that the undertaking might have been successful or the mistake even rectified may be inferred from a letter of Antoine Girardin to Governor Sinclair.[3] Girardin was

[1] See *post*, p. 553, 555, 559.

[2] Doniol, *Hist. de la Participation*, iv., ch. 6.

[3] See *post*, pp. 95, 559.

one of the most important citizens of Cahokia at this time, had been elected one of the members of the first court, and was the most enterprising man in the village. His position was such that he understood the feeling of the people, and his letter probably reflected their attitude correctly. He wrote that, if a force of British soldiers without any Indians should be sent to the Illinois, he was sure the people would receive them; and at the same time he offered his assistance. It is possible that, had the British acted promptly, they might have succeeded. Yet possibly not, for shortly after this letter was written, the news of the surrender of Cornwallis reached the West and naturally raised the hopes of those who still clung to the American cause.

During the summer of 1781 the court at Kaskaskia had tried to assert itself in the interests of good order. Certain American settlers had followed the example of the troops in killing the cattle of the French. As long as the soldiers were present, they were safe from prosecution, but now, when there does not appear to have been any garrison at Fort Clark, indictments were brought against six Americans by eleven Frenchmen for shooting the cows and other animals in the commons. The Americans were arrested and tried; the charge was proved against them and three were banished from the country for three years and the others fined.[1]

The justices also dared make opposition to the deputy county lieutenant. Without consulting the court, Winston appointed, as notary public, Antoine Labuxiere, son of Joseph Labuxiere who held the office of state's attorney after the resignation of Jean Girault.[2] The first opposition to this appointment came from the notary-clerk of the court, Carbonneaux, who, perhaps, was not anxious to have a rival. The court supported their clerk and Winston was obliged to yield. The principal reasons alleged by the court for their objection were the youth of Antoine Labuxiere and the law that no officer could be appointed except

[1] *Kas. Rec., Court Papers*; *Transactions* of the Ill. Hist. Soc. 1906, p. 258, *et seq.*

[2] See *post*, p. 487.

by the vote of the people. Winston answered that he was in no way responsible for his actions to the court but only to the state of Virginia.[1]

The unfriendly relation existing between the county lieutenant and the court that is evident from the foregoing instance had existed ever since the appointment of the former, and from now on appears to have increased, until Winston had few adherents among the French inhabitants, a circumstance which he was to regret in the future. Exactly what bearing this disagreement had upon a new election of justices at this time it is impossible to say. Four justices from Kaskaskia, Lasource, Janis, Lachance, and Charles Charleville, had held office for over two years, in fact ever since the election held by Todd. The other two members had been Duplasy and Cerré. The former had been killed in the De la Balme expedition and the latter had gone to St. Louis. As far as the record shows only one of these places had been filled, by the election of Michel Godin. The two justices from Prairie du Rocher were to remain unchanged for another year. It is not known what became of the Sieur de Girardot who represented St. Philippe. All the justices desired to continue in office, but since the list of magistrates was not complete, two more, J. Bte. Charleville and Antoine Bauvais, had been elected to fill the vacancies on July 19th. The prolongation of their tenure of office by the justices was not popular, and it is possible that Winston utilized the opportunity to bring such pressure to bear that the court was obliged to submit; for on the tenth of September he was requested to permit the summoning of an assembly of the people to "elect magistrates to fill the places of those who had held their position for two years or more."[2] The assembly was called the same day and there is in existence the polling sheet that was used. Perhaps on account of the shortness of the notice or for some other reason only twenty-seven votes were cast, not exceeding by many the number of candidates which was sixteen. Antoine Morin was the most popular candidate receiving twenty

[1] Five letters in *Kas. Rec.*, written in August, 1781.

[2] *Kas. Rec., Petitions.*

votes. The next one on the list was Pierre Langlois with eighteen votes; the third was Vitale Bauvais, whose brother had been elected in July, and whose family was at this time and later one of the most influential among the French population; the fourth was Pierre Picard with eleven votes. The other candidates had only a few supporters. The analysis of the vote would indicate that Winston had not been supported at the poll and that his opponents had carried their candidates. At the bottom of the polling sheet is written the certificate of election. The clerk first wrote the name of Pierre Langlois, who was more friendly to Winston than the other justices, as president of the new court, although he had received fewer votes than Morin. He then crossed this name off and substituted that of J. Bte. Charleville, one of the justices chosen in the July election, who may have had a prior right to this position. His vote had been cast for the four successful candidates and he was and remained a firm adherent of the French party. Whatever the explanation of the erasure is, neither of the two men became president of the court, for the position was held during the following year by Antoine Bauvais, who was one of the justices elected in July.[1]

Kaskaskia was not to have the burden of many troops during the next winter; but the village did not wholly escape persecution, for two of the men formerly most troublesome returned. It is true that the one who had made himself most offensive, Thomas Bentley, never again visited this country. He failed in his attempt to realize on all the certificates which he had bought from the French His petition to the Virginia council was denied, and that body intimated that the gentleman was an impostor. Bentley defended himself against the accusation and appealed to the letter of General Clark and to the testimony of Colonel Montgomery and John Dodge.[2] Possibly on account of the character of his attestors, one of his claims was afterward allowed. He was still in Richmond waiting for its payment in July, 1783, and

[1] *Kas. Rec., Pol. Papers* and *Petitions*. A year after this date both the clerk, Carbonneaux, and Langlois were supporters of Winston.

[2] *Va. State Papers*, ii., 238.

probably died during the year for his wife began the process for the settlement of the estate shortly afterwards.[1]

When Rogers and Dodge returned to Kaskaskia I do not know, but there is a characteristic letter from Rogers dated November 10, 1781, demanding supplies. His threats were somewhat modified. He said that if the people did not give him what was needed for his thirty troops, two hundred would be sent; but there was no suggestion of setting aside the court. He claims to have been acting under orders[2] and was probably sent to Kaskaskia more to reconnoiter than to act as a guard, for Clark expected that the British would make one more attempt to win the West, which had become more important to them now that the southern campaign had ended in the capture of Cornwallis. Rogers evidently did not remain long in the country, for before the winter ended Clark informed the governor that Vincennes had been completely evacuated and that only a few spies were kept at any of the villages.[3] Dodge had probably returned with Rogers and remained in the village. Before twelve months had passed the records were to give no uncertain account of the activities of the "illustrious Dodge."

There is among the *Kaskaskia Records* a long and interesting letter in the French language written in December by George Rogers Clark to the court of Kaskaskia, in which he states that he has learned that there are in the village numerous refugees and vagabonds who are disturbing the peace and tranquility of the community by stealing property in spite of the authority of the court. He laments this fact and urges the court to use its power even to the extent of inflicting corporal punishment or the death penalty. He tells the justices to make use of their militia and to call on the other villages for aid. Just what circumstances drew this letter from Clark will probably never be known; but the things he speaks of were constantly happening, so that he might have written such a letter at any time after he

[1] *Kas. Rec., Petitions.*

[2] *Menard Col., Tard. Papers.*

[3] *Va. State Papers*, ii., 68; a letter from Colonel Davies to the governor implies the same. *Ibid*, iii., 198.

entered the country. The interesting point is that he desired the court to uphold its authority, and there is nothing to indicate that he authorized the unnecessarily harsh and arbitrary measures of his officers. In notifying the French of the surrender of Cornwallis he gave them the hope that a better day was coming for them.[1]

Of the winter of 1781–1782 there are no records except such as show that the court was regularly sitting and performing its duties. A single document should be mentioned. On February 10th another election was held to appoint a single magistrate. Fifteen votes were cast of which Stanicles Levasseur received five and was elected. Whose place he filled cannot be discovered, for there remain no lists of the judges like those of the court of Cahokia.

The year 1782 was to be the last one of the war. The Virginians had managed to hold the country northwest of the Ohio for almost four years and this last was to pass without real danger. Rocheblave, the former acting commandant of the Illinois, had returned to Canada and laid before the government a plan for the reconquest of the whole territory, but his suggestions were without influence.[2] Several parties of Indians were sent into the Northwest, however, and one of these defeated the frontiersmen at Blue Licks—it was in this engagement that John Todd was killed; but no serious attack was made on the French villages. Clark retaliated by leading a large party against the Miami villages and inflicting severe punishment. It was his last achievement in the war.[3] On November 30th, a few days after the Miami campaign, a provisional treaty of peace was signed by England and the United States. The danger to the Illinois from Canada was for a time at an end. On January 18, 1783, the Illinois regiment was disbanded[4] and in the following July Clark was relieved of his command.[5]

[1] *Kas. Rec., Letter.*

[2] *Va. State Papers*, iii., 150; *Hald. Col.*, B., 122, p. 545; and 123, p. 141.

[3] *Va. State Papers*, ii., 280, 381; Winsor, *Westward Movement*, 203 *et seq*

[4] *Memorial of Timothe de Monbreun*, Va. State Lib.

[5] English, *Conquest of the Northwest*, ii., 783.

In the villages of the Illinois during these years of neglect we find as close an approximation to the form of the classic city-state as has ever existed in the western hemisphere. For a short time they were practically cut off from the rest of the world and from the only power which might legally exercise authority over them, so that each village was a self-governing community. As we shall see later the period was for Cahokia one of moderate prosperity and peace; but the more important village, Kaskaskia, passed through all the sufferings which her earlier prototypes experienced during periods of social anarchy. The Greeks gave the special name of *stasis* to that disease which was so common to their peculiar form of civil organization. It was caused by one party within the state making the political issue the subjugation of all others, an issue which was pursued with maliciousness and violence.[1] In a famous passage Thucydides has described the results of this disease: "The cause of all these evils was the love of power, originating in avarice and ambition, and the party spirit which is engendered in them when men are fairly embarked in a contest. . . . . Striving in every way to overcome each other, they committed the most monstrous crimes; yet even these were surpassed by the magnitude of their revenges, which they pursued to the very uttermost, neither party observing any definite limits either of justice or public expediency, but both alike making the caprice of the moment their law. Either by the help of an unrighteous sentence, or grasping power with the strong hand, they were eager to satiate the impatience of party spirit."[2] The description is as applicable to the conditions existing in Kaskaskia during the years following the withdrawal of the Illinois regiment as to the cities of Greece, which Thucydides had in his mind.

The factional strife and the personal enmities, which had been engendered by the past years in Kaskaskia, but had been somewhat controlled by the presence of the military force, broke out in the most virulent form of *stasis*, during the course of which the

[1] Fowler, *City-State of the Greeks and Romans*, 254.

[2] Thucydides, *Hist. of the Peloponnesian War*, Jowett's translation, i., 24.

love of power, avarice, and personal animosities seized control of the government, overthrew it, and left behind only anarchy. Three parties entered into this struggle for power, and probably the final blame for the result must be ascribed in part to all. The mass of the French inhabitants made up what may be called the French party, the leaders of which were the justices of the district court. These latter considered themselves the chief representatives of sovereignty and would have been glad to compel submission by all rivals. The strength of this party was rather greater in the district than in the village proper, where the people were more divided in their allegiance and more cowed by their opponents.[1] Its members were hostile to the Americans who had settled among them and feared that they would be finally overcome in numbers and lose their French laws and officers. They looked upon the deputy county lieutenant in particular as an enemy, who would take the first opportunity to make himself supreme and whose action in trying to placate the Virginians and at the same time to incite the French to opposition they regarded as treacherous.[2] It is probably true that the leaders of the party were ignorant, as Winston asserted, and incapable under the existing conditions of fulfilling the duties which the accidents of war and geographical position had thrust upon them.[3]

Winston had a small following among the French, led by Pierre Langlois, one of the justices, and Carbonneaux, the clerk of the court. Some of the Americans had also attached themselves to his party. His contempt for the French was only less than his hatred of John Dodge, the leader of the third party, whom he regarded as his chief rival. The hostility of the two men dated back to the time when Montgomery was still commanding in the Illinois, and, since Dodge had always been associated with the military party, the personal strife between them appears to be a continuation of the struggle be-

[1] The strength of the party is learned from the various petitions and memorials sent to Congress and elsewhere, to which reference is made in the text. (See p. cxvii., n. 2.) When the party gained control of the government in 1786, its leaders were men of Prairie du Rocher.

[2] *Memorials of the people*, to Va. Commissioners, *Menard Col., Tard. Papers.*

[3] Deposition of Carbonneaux, who was an adherent of Winston, *Va. State Papers*, iii., 430.

tween the army and the civil government, which had broken out when John Todd was still in the county.[1] That Dodge actually held a military commission at this time is extremely doubtful. He had been appointed Indian agent for Virginia and even used that title occasionally during the year 1782. Since Clark had never trusted him and his reputation among the Virginia officials was none too good, it is not probable that he had been promoted to a position in the army.[2] However, after the departure of Captain Rogers, Dodge gave himself out as commandant of troops in Kaskaskia and was able to persuade many of the French people to acknowledge his authority. With him were associated Israel Dodge,[3] who seemed ready enough to follow his energetic and capable brother, and the more turbulent American immigrants. For the next few years John Dodge is the power in the village of Kaskaskia. Unfortunately most of the records of his interesting career, which the clerk of the court carefully preserved, have been destroyed, so that the details can only be obtained from the rather unsatisfactory petitions of the inhabitants to Congress.

Dodge's first attack was on the deputy county lieutenant, in the summer of 1782. The fear of renewed British invasions and possible treachery were his excuses. Winston had become thoroughly exasperated with the actions of the Virginia troops, and probably desired to identify himself with the French party. At any rate he went about among the people telling them that Dodge and the officers who had been in the Illinois were vagabonds and robbers, who had only come to the French villages for the purpose of pillaging. There is no proof that he entertained treasonable designs, and his remarks give evidence of be-

[1] Winston to Todd, October 24, 1780, *Va. State Papers*, i., 380; Dodge to Clark, March 3, 1783, *Dr. MSS.*, 52J78.

[2] I have failed to find any such commission, He was always called captain, but the title was not received for service under Clark, as his name does not appear in any list of officers and troops serving in the West. (English, *Conquest of the Northwest*, ii., 1060 *et seq.*) Colonel Davies wrote to the governor of Virginia on June 22, 1782, that he did not think there were any troops in the Illinois or had been for some time. *Va. State Papers*, iii., 198.

[3] Israel Dodge was the father of Hon. Henry Dodge, whose life is so closely connected with the history of the West.

ing inspired solely by personal dislike and enmity to individuals; for he excepted Clark from his general condemnation.

On April 29th John Dodge issued an order, which he signed as captain commandant, to his brother Israel to take a party and bring Richard Winston before him to give an account of his conduct. Even if he had held a military commission such an order was entirely illegal; and his next act was still more so, for he ordered that Winston should be imprisoned because he, "has been guilty of treasonable expressions Against the State and officer who have the hon^r of wearing Commission in the Service of their Country; damned them all a set of thieves and Robers and only come to the Country for that purpose, The above Crime being proved before. i now deliver him to you prisoner and request of you to Keep him in surety until he may be brought to justice." [1]

The day of the arrest Mrs. Winston appealed to Antoine Bauvais to assemble the court and summon the Dodges to appear and justify their actions. The court met at one o'clock the same day but refused to take cognizance of the affair, probably being willing that their two enemies should fight it out. On the next day Dodge wrote to Joseph Labuxiere, state's attorney, and asked for his co-operation. Labuxiere's training was not such as fitted him to oppose the military power. He had served under France and Spain where orders from the captain in command were obeyed, so he took up the case; but he protested that he would not hold himself responsible to the state or to Winston for the events and prejudice which might result therefrom. He said, however, that he was bound to give information to the council of Virginia and to General Clark and that he had been unable to persuade the court to draw up the process against Winston without a deposit of money, which neither he nor Dodge possessed. Labuxiere summoned the witnesses, who were named by Dodge, to appear before him. The first was Michel Perrault, captain of infantry, who testified that he wrote to Winston for some supplies belonging

[1] The charge against Winston was true, for the French themselves said the same thing in a memorial to the Virginia Commissioners. *Menard Col., Tard. Papers.*

to the state and that Winston sent part of them; that later the witness, being reduced to "indigence," had sold some of these, and Winston had then said to him that he was following in the footsteps of his superiors who were a band of thieves. The next witness was Major John Williams, former captain of infantry. He said that he had frequently heard Winston swear at all the officers of the Illinois troops except General Clark and declare that they had come to the country only to rob and steal. The third witness was Henry Smith, who called himself improperly a former captain in the Illinois battalion.[1] He repeated the testimony of Williams. Labuxiere ended his account of the testimony with a statement that he was aware that he had exceeded his duties in thus summoning witnesses before him, but that he thought the importance of the case demanded his action.

While Winston remained in prison, some friend or his wife obtained possession of John Todd's record-book, which was probably in Winston's house as it was the property of the county lieutenant, and entered therein this protest: "Kaskaskia in the Illinois 29th april 1782. Eighty and touce. This day 10 oClock A:M I was Taken out of my house by Isreal Dodge on an order Given by Jno. Dodge in despite of the Civil authoroty Disregardled the Laws and on ther Malitious acusation of Jhn Williams and michel perault as may appear by their deposition I was Confined By Tyranick military force without making any Legal aplication to the Civil Magistrates. 30th the attorney for the State La Buxiere presented a petition to the Court against Richard Winston State prisonner in their Custody the Contents of which he (the attorney for the State) ought to heave Communicated to me or my attorney if any I had."[2]

Winston was detained in prison for sixteen days, and after his release persuaded the justices to hear the case in which the civil authority had been so defied. On June the 30th they ordered

[1] In 1781, when he was among those prosecuted by the court for killing cattle (see *supra*, p. cvi.) he testified that he was a laborer. His name does not appear on any list of Clark's troops.

[2] *John Todd's Record-Book* in the library of the Chicago Hist. Soc. This protest is not in Winstons' handwriting. I have quoted it in full in order to correct several mistakes which are to be found in the printed version in Chi. Hist. Soc.'s *Collections*, iv., 289.

Labuxiere to inform them of the witnesses whom he had interrogated and to send them a list of questions which he desired to have asked, for they wished to end the affair, seeing that Winston intended to leave the country. The records do not contain an account of the proceedings before the court, but Winston was acquitted. After this interesting episode we lose all sight of Dodge for a few months, and when he reappears he has won for himself the mastery of the village of Kaskaskia. The steps by which he acquired his power are unknown; but the acts of Winston during the last months of 1782 no doubt prepared the way.[1]

Winston had good reasons for feeling that the court had not given him cordial support in his contest for the rights of the civil against the military power, and it was probably due to his influence that a new election of magistrates for Kaskaskia was held shortly after his release. On the sixteenth of June, an assembly of the people of Prairie du Rocher was held in the house of J. Bte. Barbau, commandant of the militia, to elect magistrates to fill the places of Barbau and Louvieres, who had been magistrates "during the time fixed by the code of government." They had held their positions since June, 1779. The two newly elected justices were Aimé Compte and J. Bte. Jacquemain.[2] On the fifteenth of September Kaskaskia held a new election, only twenty-one men exercising the franchise, and six new magistrates were chosen—J. Bte. Bauvais, Louis Brazeau, François Charleville, François Corset, Vitale Bauvais, and Antoine Morin; but Winston issued a certificate of election to only the first four, to whom he also wrote a letter of congratulation.[3]

It is to be noticed that Vitale Bauvais and Morin were both members of the former court, which had refused to support Winston against Dodge. In spite of the act of the county lieutenant

[1] The papers in the foregoing narrative may be found in the following places. In the *Papers of Old Congress*, xlviii., 4, are the two orders for arrest and imprisonment of Winston and Mrs. Winston's appeal with the call for the court on April 29. The correspondence between Dodge and Labuxiere with the depositions of the witnesses and the court's letter to Labuxiere belong to the Cahokia Records in Chicago Hist. Library.

[2] *Kas. Rec., Pol. Papers.*

[3] *Kas. Rec., Pol. Papers and Letters.*

the other justices gave their support to their rejected associates and Vitale Bauvais was made president, a position he held as long as the court continued to sit.

Beaten once again at the election, Winston determined to use other means of asserting his authority, but he allowed at least two months to pass before proceeding to the final act. That act was decisive. Towards the end of November, he posted on the church door a notice abolishing the court of the district of Kaskaskia. Thus by act of the civil authority, and not by that of the military, the court of Kaskaskia came to an end. From this date until June, 1787, no bench of justices held sessions in that village.[1]

Winston himself had decided to go to Virginia. He wished to obtain justice against John Dodge, to petition for the remodeling of the government, and to recover the money which he had advanced to the state. His loans to Virginia had been considerable and he found himself reduced from affluence to extreme poverty by his support of the American cause. One of the officials of the court, the clerk François Carbonneaux, had supported Winston in his action and was to accompany him to Virginia. On December 3d, they persuaded a few Kaskaskians to appoint them their agents either to Virginia or to Congress for the above purposes. The signatures to this document reveal the strength of the party of the county lieutenant. Of the signers seven were Americans and ten were Frenchmen, of the latter five only could write and but one, Pierre Langlois, had held the position of justice of the peace.[2]

[1] The existence of the court can be proved up to November 15th. (*Kas. Rec., Petitions.* That it was set aside by a placard on the church door is proved by a letter of the two Bauvais and Corset in 1787. (*Kas. Rec., Letters.*) Winston is unquestionably the one who set the court aside, for in a memorial to the Va. commissioners, the French party wrote that he had "annulled, set aside, and revoke[d] the good law which you have given us for the surety of the country." *Menard Col., Tard. Papers.*

[2] From now on the petitions to Congress are numerous and it is necessary to depend upon them for much of the narrative, since the local material has been lost or destroyed. These petitions must be used with caution, for they emanate from different parties in the Illinois and their value can only be estimated after a careful analysis of their contents to determine who were the petitioners. First there was the party of Winston. The first petition was carried by Winston and Carbonneaux, but since Winston died in Richmond in 1784 (*Dr. MSS.*, 4J37), Carbonneaux was the representative of this party at Congress. They wanted to remodel the existing government and to make Illinois into one district under a county lieutenant having sufficient power to maintain order. They had a contempt for the French, for their lack of intelligence, and for their failure to rule themselves. (*Papers of Old Cong.*, xxx., 453.) The second party was that of John Dodge, who was more success-

Before leaving the country Winston made provision for the maintenance of the county government by the appointment, on January 8th, of Jacques Timothe Boucher Sieur de Monbreun, as his successor, but this he did not make public till January 21st, at which time he confirmed the sale of the office of notary-clerk by Carbonneaux to Pierre Langlois.[1] Before the arrangements for his departure were completed, the announcement of the arrival of the commissioners for western affairs, sent by the state of Virginia, had reached Kaskaskia, so that he had a further incentive for haste.

Although, for lack of other name, it is necessary to continue calling the government in the Illinois, the county of Illinois, legally the county had ended twelve months before Winston appointed his successor. It had been established by the act of the Virginia assembly in December, 1778, and was to last for one year and thereafter until the end of the next session of the assembly. It was renewed in May, 1780, and continued for a similar period.[2]

ful by means of intimidation in winning the support of the French people, including the deputy lieutenant left by Winston, and to whom the Americans looked for leadership. He was not, however, able to win over the prominent members of the French party, who remained distinctly hostile. Dodge and his followers advocated the establishment of Illinois as a separate state, being no doubt influenced by the similar demand of the county of Kentucky. Their petition was carried by Pentecoste in 1784. (*Papers of Old Cong.*, xxx., 435, 463.) The third party was that of the French, led by Barbau, the Bauvais, Janis, and others. The people of Cahokia may be regarded as belonging to this party. The members were devoted to the court and the French law modified by the Virginia enactments, as they had been established by John Todd; but the party had no objection to changes in the civil organization which might be made by Congress; in fact its members demanded a government from Congress. Their petitions were carried by Major Lebrun and Mr. Parker. The writers of their communications were the clerks of the courts. (*Papers of Old Cong.*, xli., 113; this vol., p. 567, 581.) The fourth set of petitions were written by a faction of the French party which remained irreconcilable after the attempted settlement by Colonel Harmar in 1787 and continued to protest against Dodge. (See *post* p. xxxvii.) The leaders were a priest, Father de la Valiniere, and the clerk of the court, Pierre Langlois, both of whom wrote the petitions. Their papers contain information of value as they conserve the older issues of the French party. (*Papers of Old Cong.*, xlviii., 13, 19, 89.) The fifth set of petitions were of a very different character. They are those signed by Tardiveau, whose purpose was to gain from Congress concessions of land for all the French and Americans in the Illinois. He had persuaded members of all parties to sign agreements with him to pay him one tenth of the land thus obtained for his trouble. His petitions contain few details and statements of fact, since he could not afford to prejudice Congress against any of his clients. They are very wordy and full of flowery phrases and in proportion to their length contain little of value. He had obtained copies of all the important memorials and papers in the Kaskaskia records and from these he drew his information; but since the copies he used are still in existence, they furnish better evidence than his interpretation of them. (See *post*, p. ciii. Tardiveau's petitions are in *Papers of Old Cong.*, xlviii., 119 *et seq.*)

[1] *Memorial of Timothe de Monbreun*, Va. State Lib.; *Kas. Rec., Court Record*, pt. ii., fols 2, 5.

[2] Hening, *Statutes at Large*, ix., 555; x., 308; this vol., p. 9.

At the next session there was an attempt to have the act continued, but without success.[1] On the fifth of January, 1782, the general assembly adjourned and, "the statutory organization of Illinois expired" and from that time there was no government resting on positive provisions of law in the Illinois country, until Governor St. Clair inaugurated the county of St. Clair in 1790.[2]

The reason for this action of the legislature of Virginia is to be found in the negotiations with the United States in regard to the cession of this territory. A bill to that effect was passed by the assembly as early as January 2, 1781; but the business dragged through several sessions of the United States Congress, and the cession was not consummated until March 1, 1784.[3] As is well known, it was not until 1787 that Congress passed an effective law regulating the government in the Northwest and not until the spring of 1790 that the governor appointed under that act reached the French settlements, so that during the period of eight years the people of the American Bottom were left to themselves to settle the problem of government as best they could.

After repeated petitions from the West and many accusations against officers, Virginia determined in the year 1782 to send a board of commissioners to these regions to investigate the claims against her and the whole question of the finances of the Western army. The accounts and bills as they had come to Virginia were greatly confused; for Montgomery, George, and other officers had made drafts without authority, and the amounts appeared large and were drawn for specie, so that fraud was suspected.[4] The commissioners did not start for the West until October. They sent from Lincoln county on December 4th a notice of their appointment and powers to Kaskaskia and Vincennes and

[1] *Jour. House of Del.*, Va., Oct. Sess., 1781; Boggess, *Immigration into Illinois* (thesis in MS).

[2] See Boyd, "The County of Illinois," in *Amer. Hist. Rev.*, iv., No. 4, p. 625.

[3] *Jour. of Cong.*, viii., 199, 203, 253; ix., 47 *et seq.*; Hening, *Statutes at Large*, xi., 571 *et seq.*

[4] Montgomery was authorized by Clark to draw on him and the treasury of Virginia; but the people preferred drafts on Pollock in New Orleans. These Montgomery was forced to give and justified his action before a court of inquiry in 1781. *Va. State Papers*, iii., 433. See also iii., 56, and instructions and letter of Governor Harrison, *Dr. MSS.*, 46J69, 72.

requested that word be sent to Cahokia and St. Louis. A meeting at the Falls of the Ohio was set for January 15th.[1]

On arriving at the appointed place of meeting, the commissioners found no one. They suspected that Clark and his officers were conspiring to keep the French representatives from them, for they learned that the clerk of Kaskaskia, Carbonneaux, and the delegates from Vincennes had arrived at the Falls and been sent away.[2] Whether their suspicions were correct or not it is impossible to say. If correct, the attempt was not successful; for the commissioners were overtaken at Logan in the spring by Winston and Carbonneaux. The latter made an accusation of ignorance and neglect of duty against the justices of Kaskaskia. He also recommended a stronger government for the country and said that some persons were setting themselves up as lords of the land. The commissioners believed that he represented the better elements of his village, instead of a minority as was the case.[1] Winston did not make any deposition at this time. He accompanied the commissioners to Richmond, where he died in great poverty in the year 1784.[3]

Winston and Carbonneaux were not the only ones to carry memorials to the commissioners. On March 1st, the members of the French party sent off a ten-page petition concerning the affairs in the Illinois, in which, although they tried to confine themselves to claims for payments, as they had been instructed to do by the commissioners, they recur now and then to the hardships which they had endured. At about the same time another memorial, signed by most of the men opposed to Winston, was forwarded and in this was given in detail an account of the double

[1] *Va. State Papers*, iii., 327, 389; *Kas. Rec., Notice and Letter.*

[2] In his journal Colonel Fleming, one of the commissioners, is very outspoken about his suspicions. (*Dr. MSS.*, 2zz69). From the same journal it is evident that Carbonneaux and the delegates from Vincennes were at the Falls in time for the meeting on January 15. Winston did not start from Kaskaskia till the 21st of the month and the delegate from Cahokia, Fr. Trottier, left sometime in March. (See *post*, p. 145). All the representatives were at Fort Nelson on March 30th and wrote a letter to Clark from there. (*Dr. MSS.*, 50J80).

[3] The deposition of Carbonneaux is obtained from an extract sent by Walker Daniel to the commissioners February 3d in *Dr. MSS.*, 60J3 and *Va. State Papers*, iii., 430; notice of Winston's death in *Dr. MSS.*, 4J37. I regret that I have been unable to see the journal of this board of commissioners, which is in the Va. State Lib. Dr. Eckenrode, the state archivist, has furnished me with a few extracts from it, but there was no way of finding out what would be of use to me except by having the three hundred odd pages copied and this I was unable to have done.

dealing of the county lieutenant, who had told the military officers that the French must be ruled by the bayonet while he was urging the French to oppose further levies; and the memorialists further declared that Winston was responsible for the lawless condition which prevailed in the country.[1]

Those who had given freely of their goods for the support of the American cause were never to receive full recompense for their services. Most of the bills which were presented were finally paid by Virginia, but not until they had passed into the hands of speculators such as Bentley and Dodge, who had given to the original holders a very small percentage of the face value of the claims. Later the United States attempted to compensate the French people for the losses they had suffered by granting them concessions of land; but the delays were so long, their needs so pressing, and their foresight so poor that the men to whom the grants were made sold them for a song to land-jobbers and speculators, long before the difficult land question of Illinois was finally settled a generation after the occurrence of the events for which the French and others had ruined themselves.[2]

Between the appearance of the Virginia commissioners in January, 1783, and that of Colonel Harmar in 1787, the Illinois people were almost completely isolated. On account of the destruction of the documents which would have furnished information on the events of the period, the view we obtain of the men and affairs is a very hazy one. This, however, is evident. The experience of the Kaskaskians during the years of the American occupation had unfitted them to rise to the dignity of self-government and the anarchy only grew worse; whereas in Cahokia the court founded by Todd remained in power and was able to preserve order. The difference in the destinies of the two villages can only be ascribed to the presence of the turbulent frontiersmen

[1] They are both in the *Menard Col.*, *Tard. Papers*, the first an original MS., the other a copy by the clerk.

[2] *Amer. State Papers*, *Pub. Land*, *passim*; *Record-Books* at Chester, Ill. When the United States accepted the cession of the Northwest from Virginia, it was agreed to reimburse the latter for all claims for necessary supplies to Clark, provided they were allowed before September 24, 1788. Many bills were presented and allowed before that time (Winsor, *Westward Movement*, 247); but many still remained in the hands of the French unpaid. (Smith, *St. Clair Papers*, ii., 168.)

in the southern village; for the inhabitants of the villages were of the same origin, and their experience had been practically identical except for the few years of the Virginia period.

We have already seen that many traders came into the Illinois in the spring of 1779 and others had followed them. Besides these several soldiers of the Virginia line made permanent settlements in the neighborhood. In the summer of 1779, Montgomery permitted a number of families to settle, "up the creek about thirty miles," and this probably marks the date of the beginning of Bellefontaine, the first village of Americans north of the Ohio River.[1] In 1781, after the abandonment of Fort Jefferson, several families which had established themselves around that post came to Kaskaskia and some two years later made a stockade at Grand Ruisseau, which was under the bluffs at the point where the road from Cahokia to Kaskaskia mounts the hills.[2] The leading men in these settlements were James Moore, Henry and Nicolas Smith, Shadrach Bond, and Robert Watts. The number of Americans scattered on the bluffs, in the villages, and on the bottom was over one hundred, most of whom were in or around Kaskaskia.[3]

If order was to be maintained, it was essential that these scattered communities should be brought into some relations with the courts of the French villages. On July 9, 1782, while the the justices were still holding sessions, fourteen of the Americans at Bellefontaine petitioned the court at Kaskaskia that they be permitted to maintain a subordinate court in their village and that either some one should be appointed justice of the peace or they should be allowed to elect one from among themselves to that office; and they expressed a desire to live under the laws of the county and to be united with the other villages. This petition was granted and an election was held, in which Nicolas Smith received ten votes and James Garretson five. The certificate of election

[1] Montgomery to Clark, *Dr. MSS.*, 49J74.

[2] Reynold, *My Own Times*, 59.

[3] In a contract with Tardiveau in the summer of that year, there are 130 signatures of Americans.

was written by James Moore, who signed himself captain.[1] The organization of the village of Grand Ruisseau did not take place till the year 1786. Since it was in the district of Cahokia, the petition was sent to the court sitting in the village of that name. On January 2d the Americans were permitted to elect a commandant, subordinate to the commandant of Cahokia, and to name arbitrators to decide disputes, but they were to remain subject to the jurisdiction of the court. Robert Watts was appointed commandant.[2] It was not until the next year that Grand Ruisseau received a justice; but, since the permission to elect such an officer was dependent on of events which occurred in Kaskaskia, the account will be postponed to the proper place.[3]

The submissiveness of the Americans to the Kaskaskia court did not last long and in their attempt to gain the control of the government, after the abolition of that body by Winston, confusion and disorder reached a climax; and anarchy was made more complete by the drunkenness, insubordination, and lawlessness of the French *coureur de bois* and the *voyageurs*.

Affairs were further complicated by the presence of British merchants, who had rushed into the region to capture the Indian trade. The Michillimackinac company, which had a store at Cahokia, was particularly conspicuous in this competition. The British were able to undersell the inhabitants in their commerce with the Indians and, since this deprived the villagers of a trade which they thought rightfully belonged to them, it was the cause of several complaints.[4] All the British who appeared in the West were not simply traders. The British government, which looked with covetous eyes on these rich lands, sent agents into all parts to report on the disposition of the people. Some of these, although not authorized by their government, openly urged the French people to unite with England, an issue out of their

[1] *Kas. Rec., Pol. Papers.*

[2] See *post*, p. 217.

[3] See *post*, p. cxlviii.

[4] *Papers of Old Cong.*, xxx., 453, xl., 113; Smith, *St. Clair Papers*, ii., 174; Edgar to Clark, *Dr. MSS.*, 53J55.

troubles which would not have been altogether unacceptable to the Illinoisans.[1]

Over this turbulent population the Canadian nobleman, Jacques Timothe Boucher Sieur de Monbreun, had been appointed governor by Winston. He had been born in Boucherville about thirty-six years before. While still a young man, he had sought his fortune in the West and established himself at Vincennes. He there won the confidence of Lieutenant Governor Abbott during the latter's short stay in the village and was employed by him as a confidential messenger.[2] He had readily united with the people of Vincennes in acknowledging the sovereignty of Virginia, influenced by the persuasive eloquence of Father Gibault. He was appointed lieutenant in the militia of the village, and was one of the officers captured by Hamilton, when the British retook the place.[3] De Monbreun later enlisted in the Illinois battalion and received the commission of lieutenant, a position he held with honor until the fall of 1782, when the necessities of his family compelled him to ask for his discharge and pay. His letters to Clark show him to have been a man proud of his lineage and with a sensitiveness in matters of honor.[4]

Exactly what his party affiliations were, previous to his appointment, it is impossible to say. He was connected by marriage with the Bauvais family. He ran for office in 1782 and received only one vote. His appointment as deputy county lieutenant would indicate a close relation to Winston, particularly as the other official appointed at this time, the clerk Langlois, is known to have been of that party; yet his service in the army would show some association with the military party, with which Winston does not appear to have been on the best of terms; and his later actions connect him closely with John Dodge. Every-

[1] *Papers of Old Cong.*, xli., 113; Smith, *St. Clair Papers*, ii., 101; this vol., p. 571; McLaughlin, "The Western Posts and the British Debts," in *Annual Report* of Amer. Hist. Assn., 1894, p. 413; Winsor, *Westward Movement*, 373; Green, *Spanish Conspiracy*, ch. xviii.

[2] *Can. Archives*, B., 122, p. 103; Tanguay, *Dict. Genealogique*, i., 71, 73, ii., 383, 388.

[3] Can. Archives, B., 122, p. 234.

[4] Letters and certificates of De Monbreun, *Dr. MSS.*, 51J24–26; 50J70.

thing considered, it is probable that his appointment was not favored by the French party.

On January 8, 1783, Winston issued to him the commission of deputy county lieutenant and gave him the following instructions for his guidance: "On every occasion that shall offer to claim your protection in behalf of the people as well as to support the cause of the States, you will act in concert with the oldest inhabitants in order to consider jointly with them the most proper measures to take concerning the affairs which may arise.

"For your direction I cannot direct you to a better guide than the 'Code of Laws and Articles of Right' which his Excellency the Governor has sent and which ought to be in the office of the court. These you will consult from time to time and mitigate as much as possible by the old customs and usages of this country. By adding to this your knowledge of jurisprudence you cannot fall into error. . . .

"As there is nothing else which occurs to me to call to your attention, I rely on your prudence and experience as to unforeseen cases. I wish for you a better success in preserving peace than I have had."[1]

The wish was almost ironical, for the conditions in Kaskaskia were growng steadily worse rather than better, and for this Winston was in part to blame. On account of the discontinuance of the sessions of the court through Winston's act, the deputy county lieutenant no longer had the moral support of the best citizens for the preservation of order. For the next few years De Monbreun was generally the only judge and at times he is satisfied to sign this less pretentious title to his name; but the petitions were addressed to him as county lieutenant. It is evident that the government in Kaskaskia had reverted to the older French type, wherein executive and judicial functions were exercised by one man. That there was a great deal of judicial business carried on is proved by the numerous petitions and other legal documents. The notary, Langlois, also found something to do, as is shown by the inventory of instruments drawn up by

[1] Enclosure in *Memorial of Timothe de Monbreun*, Va. State Lib.

him. In 1783 there were indexed eighty-five titles and in the next year, eighty-seven.[1] In the year 1784, for a short time, Aimé Compte, the last president of the former court, reappeared and styled himself, "judge in the village and district of Kaskaskia". In a petition of June 16, there is mention of "De Monbreun, the late commandant". It is possible that this marks some political upheaval which for a time overthrew the deputy lieutenant. This may have been due to the assertion of the rights of the district against the village, for Aimé Compte was from Prairie du Rocher; but if that is the explanation, the revolution was not successful, for De Monbreun's activities as governor and judge can be traced up to the latter half of the year 1786.[2]

Besides attending to the legal affairs of the district, De Monbreun managed to maintain peaceful relations with the Indians. Raids were becoming more frequent and dangerous during these years. The county lieutenant held several conferences with the savages as did the commandants of the other villages. He spent the public money and private funds, furnished by himself and the militia officers, to satisfy their demands. By these means a partial treaty was effected, which in a measure protected the Illinois country.[3]

He was also called upon to maintain the honor of the United States against the infringement of her rights by Spain. In 1785 two deserters from St. Louis took refuge in American Illinois. Cruzat, the commandant of St. Louis, seized these upon the soil of the United States and carried them back to the Spanish village. The action of De Monbreun in the case shows him at his best. In a very dignified letter, dated October 12th, he pointed out to the Spanish governor of New Orleans the illegality of the act and the insult which had been offered to the United States.[4] On the whole, however, the relations between the officials of the Spanish possessions and those of the Illinois were most friendly.

[1] *Kas. Rec., Inventory.*

[2] *Kas. Rec., Petitions*; *Amer. State Papers, Pub. Lands*, ii., 206.

[3] *Memorial of De Monbreun*, Va. State Lib.; Mason, *John Todd's Record-Book*, 315. In this last the date has been transcribed incorrectly or some other error has been made, for De Monbreun had no civil office in February, 1782.

[4] *Memorial of De Monbreun*, Va. State Lib.

Many letters passed between them on a variety of subjects, generally of a legal character. In fact, it was the policy of Spain at this time to propitiate the French and the Americans of the West, in order to persuade them either to revolt against the United States and unite with the Spanish colonies or to emigrate to the western bank. There has been preserved an interesting letter, the motive of which must be found in this policy. Shortly before the episode of the Spanish deserters, Cruzat wrote to De Monbreun that the merchants of American Illinois might have the protection of the Spanish convoy in sending down their merchandise to New Orleans.[1]

Where De Monbreun failed in his government was where Todd and Winston had failed before him, namely in preserving peace between the factions. In his memorial to Virginia he has recorded the policy which he adopted, "in quieting the animosities between the French Natives and American Settlers." He writes: "Without troops to oppose the hostile designs of the savages, without any coercive means to keep under subjection a country where a number of restless spirits were exciting commotions and troubles, the greater circumspection and management became necessary, and the Commandant was induced to temporize with all parties in order to preserve tranquillity, peace, and harmony in the country."[2]

The temporizing of De Monbreun meant that he permitted the American settlers, who had found in John Dodge a leader of force and ability, to control the village. These men understood better than the French the anomalous position of Illinois—no longer a part of Virginia and not yet under the control of the United States —and took advantage of it. Many of them had obtained concessions of land from the court and many more from De Monbreun, who was particularly free-handed in making grants.[3] It is very probable that the Kaskaskia government was not strong enough to deny or limit such concessions. A good example of

[1] *Memorial of De Monbreun*, Va. State Lib.

[2] *Ibid.*

[3] Smith, *St. Clair Papers*, ii., 169.

the illegal occupation of land is offered by the case of this same John Dodge. He seized the old French fort on the bluffs, and fortified it with building materials and two cannon from the Jesuit building, known as Fort Clark, and was prepared from this vantage ground to defy what was left of the civil government in the village; for the site commanded the defenseless community below.[1] For this seizure of public property there was not the slightest authority, but no one dared to oppose the act. Dodge was so audacious and the fort so favorably situated that his influence was unquestioned in the village, and both the deputy county lieutenant and the people were compelled to do his bidding.[2]

He was far more successful than Winston in building up a party among the French by persuasion and intimidation. One of the former judges, Nicolas Lachance, became his chief supporter, and several of the others appeared ready to follow his lead. From the glimpses we obtain of the French people, they appear to have acknowledged the supremacy of the strongest and to have cringed in a most unmanly manner before the energetic American, or as a writer to Congress at a later time says: "But seeing they could not give any information of their unfortunate condition and consequently obtain any redress, they began the most shamefull slavery, by flattering their Tyrant and serving him in the most humiliating manner."[3] Dodge, in turn, bullied the people, struck them with his sword, insulted them, and fought with them.[4]

[1] *Papers of Old Cong.*, xlviii., 19; this vol., p. 569. The occupation of the fort on the bluffs by Dodge caused the old fort in the Jesuit building, which was known as Fort Gage under the British and Fort Clark under the Virginians, to be forgotten, and the villagers came to speak of the former as the fort, so that men like Mann Butler and John Reynolds, coming later to Kaskaskia, supposed that it was the Fort Gage captured by Clark in 1778 and thus caused a controversy, curious if not very profitable, over the site of the fort and Clark's maneuvers. (Butler, *Hist. of. Kentucky*, 52; Reynolds, *Pioneer Hist.*, 72; for the history of controversy, see Winsor, *Nar. and Crit. Hist.*, vi., 719, note 1.)

[2] *Papers of Old Cong.*, xxx., 463; xlviii., 19.

[3] *Ibid*, xlviii., 13.

[4] The fullest information in regard to Dodge is contained in the petitions to Congress of the year 1787. These were written by that faction of the French party which remained unreconciled after the visit to Kaskaskia of Colonel Harmar. (See *post*, p. cxxxvii.) The writers were Father de la Valiniere and the clerk, Pierre Langlois. They exhibit such hostility and animosity against Dodge that their testimony should be suspected, were not some of the facts mentioned by them supported by other witnesses. Governor St. Clair wrote in 1790 that: "The Illinois regiment being disbanded a set of men pretending the authority of Virginia, embodied themselves and a scene of general depdreation and plunder ensued." (*Amer. State Papers, Pub. Lands*, i., 20.) The whole French party united on June 2, 1786, in a petition to Congress in which they made charges against Dodge similar to those of De

The people found difficulty in making their condition known; for Dodge was powerful and had many friends, so that his story was generally believed. He himself drew up a petition to Congress in June, 1784, asking that Illinois be created an independent state, and found seventeen French inhabitants to sign it, most of whom belonged to the least intelligent of the community; eight were unable to sign their names, one was a woman, and of the other eight, only four had held office. They were not even all from Kaskaskia; one was an inhabitant of Vincennes, and the names of several of the others do not appear in any list of French inhabitants of the Illinois. The other signatures were those of Americans.[1] The French party, a few months later, appointed Major Lebrun called Belcour to present their grievances to Congress. Petitions were prepared in both Cahokia and Kaskaskia, but Dodge "prophetsyed, concerning him, be certain he shall never bear the west coat that he asketh." This prophesy was fulfilled, for the bearer of the petitions was killed on his way east near the Falls of the Ohio.[2] A copy of the petition from Cahokia finally reached Congress, but not until it had been somewhat disguised and changed.[3]

Dodge maintained his ascendency in the village until 1786, in which year the inhabitants became thoroughly aroused and finally succeeded in overthrowing this representative of "Greek tyranny." The initial impetus to this action probably came from George Rogers Clark, who had always entertained a poor opinion of Dodge. In a letter he wrote to Congress in May, recommending that body to establish a government in the

la Valiniere but without so many details. (*Papers of Old Cong.*, xli., 113; see *post*, p. cxxx) In the placard of Commissioner Janis (See *post*, p. 495) there is an unmistakable reference to the seizure of building material from Fort Clark. In the record of the court held by De Monbreun the influence of Dodge is very evident and that in a case mentioned by De la Valiniere. (*Kas. Rec., Court Record*). Several papers in a suit brought by Madame Bentley against Dodge, give witness of his violence. (*Kas. Rec.*) There should be added to these the succession of events which occurred after the departure of Dodge and his later attack on John Edgar. (See *post*, p. cxlii.) For these reasons it seems proper to accept the testimony of the leaders of the smaller faction as that which would have been given by the prominent Frenchmen at an earlier date, had they had occasion to write about the same events.

[1] *Papers of Old Cong.*, xxx., 435.

[2] *Ibid*, xlviii., 19.

[3] See *post*, pp. 567 *et seq.*

Illinois, he says that he had advised the French to revive their former magistracy.[1] There is nothing to show, however, that any steps were taken in Kaskaskia at that time; but an opportunity was afforded shortly afterwards by the presence of Joseph Parker to send a communication to Congress.[2] On the 2nd of June a very earnest petition was drawn up asking for an immediate government, because of the wrongs the inhabitants were suffering from the British merchants, who threatened to take the country under the law of that nation, and who were supported by John Dodge and Nicolas Lachance. These last had made themselves commandants and were acting most tyrannically.[3] With this petition they sent a copy of the one which had been written by the Cahokians in 1784, but which had never reached its destination. This was now somewhat altered so as to give it the appearance of being also directed against Dodge.[4]

The petition from the French party was read in Congress on the 23d of August and caused that body to change its action, after it had supposed that two petitions from the French had already been considered. The first had been presented by Carbonneaux, former clerk and follower of Richard Winston, and had asked for some one with powers to govern;[5] the second was the petition prepared by Dodge on June 22, 1784, which, being accompanied by a letter from the county lieutenant, De Monbreun, had an official appearance. Action had been taken on these two in February and March, 1785, and it had been decided to send a commissioner to investigate titles, to have magistrates elected, and to reform the militia; but for some reason no commissioner was sent.[6] On December 28, 1788, three years later, the secretary called the attention of Congress to this omission, but the needs, for which the commissioner was to have been appointed, had already

[1] *Papers of Old Cong.*, lvi., 279.

[2] I have found nothing concerning Parker.

[3] *Papers of Old Cong.*, xli., 113.

[4] See *post*, p. 569.

[5] *Papers of Old Cong.*, xxx., 453.

[6] *Ibid*, xxx, 431., 483

been supplied by the ordinance of 1787 and the appointment of Governor St. Clair.[1]

Upon the receipt of this third petition, Congress instructed its secretary to inform the inhabitants that "Congress have under their consideration the plan of a temporary government and that its adoption would not be longer protracted than the importance of the subject and a due regard to their interest may require."[2] In accordance with instructions the secretary sent the message, employing as messenger the same Parker by whom the Kaskaskians had sent their petition.

During this critical period the French party received an important addition. For some years the only priest in the region had been Father Gibault, whose assistance to Clark has made his name so well known in the West. He had taken up his permanent residence in Vincennes, and therefore the churches in the American Bottom were neglected.[3] Gibault had been sent by the bishop of Quebec, and his right to exercise his duties still rested on that earlier appointment. But now the Catholic Church of the United States had received a head in the person of the Prefect-Apostolic John Carroll, whose jurisdiction was extended to the Mississippi valley. The first priest sent by him to this district was the wandering Carmelite, Father St. Pierre, who undertook the charge of the parish in Cahokia in 1785 and continued there until 1789.[4] Sometime in the summer of 1786 the Rev. Pierre Huet de la Valiniere arrived at Kaskaskia with an appointment as vicar general of the Illinois.[5] He was the kind of man needed to draw the French out of the stupid timidity into which they had

[1] *Papers of Old Cong.*, clxxx., 11.

[2] *Journals of Congress*, iv., 688.

[3] Shea, *Archbishop Carroll*, 469.

[4] *Ibid*, 272; this volume, pp. 630, n. 78, 259, 269, 393.

[5] *Amer. Cath. Hist. Researches*, New Ser., ii., No. 3. In this magazine the editor, Mr. Griffin, has published the most important papers on the life of De la Valiniere, where may be found the various disputes between him and the other priests. It is impossible to discuss them here, but Gibault claimed to be vicar general under his appointment by the bishop of Quebec and was unwilling to acknowledge the superiority of the new appointee. The matter was peaceably adjusted by the Canadian bishop withdrawing his jurisdiction from this region. (Shea, *Archbishop Carroll*, 466.) De la Valiniere entered into a dispute with Father St. Pierre also, but the latter was supported by the Cahokians, who appealed to the bishop of Quebec.

fallen. By nature he was impulsive and erratic, but full of enthusiasm for any cause to which he had given himself. In the year 1779 he had been expelled from Canada for his open espousal of the American cause;[1] later he came to the United States and served at Philadelphia and at New York. He was now sent to a region where his peculiar talents would have an immediate effect, and, since the French regarded him as a representative of the United States, to which the Illinois now belonged, his advice carried great weight.[2] It was undoubtedly his example and inspiration that encouraged the French to continue their resistance to the tyranny of Dodge.

Before the return of the messenger who had carried their petition to Congress the French people had themselves taken steps to gain control of their civil government. They first brought about, in July, the appointment of Maturin Bouvet of St. Philippe as civil and criminal judge. On August 14th Timothe de Monbreun, who had supported Dodge, resigned his office of deputy county lieutenant and appointed in his place a man who had consistently supported the French party, Jean Baptiste Barbau of Prairie du Rocher.[3] It is noticeable that neither of the two newly appointed officers was a Kaskaskian.

Barbau was a man well advanced in years, when he was called upon to lead the French in their struggle for political liberty. In 1746, when he married his first wife, he was over twenty-five, so that in the year 1786 he must have passed his sixty-fifth birthday. His parents were not Canadians, but had come directly from France to New Orleans, where he was probably born.[4]

The long expected reply from Congress was brought to Kaskaskia by Joseph Parker in January, 1787. The people were eager to learn its contents, and sent in haste to Barbau at Prairie

[1] Hald. to Bish. of Quebec, *Can. Archives*, B., 66, 161.

[2] Shea, *Archbishop Carroll*, 145; *Amer. Cath. Hist. Researches*, New Ser., ii., No. 3.

[3] *Kas. Rec., Petitions*; *Memorial of De Monbreun*, Va. State Lib. De Monbreun remained only a short time in Kaskaskia after laying down his office. The records show him still there in 1787, but after that he appears no more. He went to Tennessee and at an advanced age died in Nashville in 1826. He had accumulated considerable property which he left to his children. (Chester *Probate Records*, March 19, 1827, Randolph County.)

[4] Marriage contract, *Cah. Rec.* in, Belleville, Ill.

du Rocher that he might come and open it. But the deputy county lieutenant being ill and unable to come gave his permission to the clerk to read the communication to the inhabitants.[1] There must have been some disappointment felt when they heard that the government for which they had so ardently hoped was not yet to be established, but was still to be determined upon. However, they had succeeded in communicating with Congress, which was some consolation.

At almost the same time an emissary appeared from a different quarter. George Rogers Clark had, during the fall of the previous year, led a force of Kentucky militiamen, without the authority of the United States, against the Indians in the Northwest territory. He then decided to garrison Vincennes, and now sent John Rice Jones to buy provisions in the Illinois, where some of the merchants had promised him assistance.[2] The name of Clark had always been honored by the French, for they still remembered the kind but firm rule they had enjoyed during that year when he held not only the military but the civil authority. They were therefore easily persuaded that Clark and this agent represented the United States. Jones was well received and his purchases were guaranteed by a prominent American merchant, John Edgar, whose relations with the French were far more kindly than those of his fellow countrymen.[3]

Dodge, who had never forgiven Clark for his suspicions, and

[1] The letter from Barbau is torn so that there remains of the date only the year and "anvier." *Kas. Rec., Letters.*

[2] For the expedition of Clark see Winsor, *Westward Movement*, 275 *et. seq.*; *Secret Journals of Cong.*, iv., 313, but see also pp. 301 *et seq.*

[3] *Papers of Old Cong.*, xlviii., 19. John Edgar was born in Belfast, Ireland, of Scotch-Irish parents. During the years 1772–1775, he commanded a British vessel on Lakes Huron and Erie. He then went into business at Detroit, where he was arrested on August 24, 1778, for corresponding with the Americans, and remained in prison until 1781, when he escaped. He had learned while in prison of the treasonable correspondence of the Vermonters with the British government and by giving information concerning it won the confidence of Washington, George Clinton, and Congress. In 1784 he went to Kaskaskia to establish himself in trade. The trying years which followed almost drove him to cross to the Spanish bank; but with the coming of Governor St. Clair conditions became better and he was appointed to important positions under the new government. For twenty-five years he held the office of justice of the Court of Common Pleas. During this time he purchased many of the land claims of the French for a few dollars and in the course of years became the richest land owner of the American Bottom. In 1798 Congress voted him 2240 acres of land in consideration of his losses in Canada during the Revolutionary War. He died in 1830. Roberts, *Life and Times of General John Edgar, Address* in MS. to be printed in *Transactions* of Ill. Hist. Soc., for 1907; *Amer. State Papers, Pub. Lands, passim*; see *post*, p. cxiii. *et seq.*

who, in this case, had right on his side, since Clark was acting in a most illegal manner in invading the territory of the United States, opposed the collection of supplies by Jones and was powerful enough to prevent any sales. Jones went to Vincennes, however, and returned with troops. The narrator's account of what then occurred is interesting. "Mr Jones seemed a fine gentleman who caused no hurt to any body, but entered in the above said fort on the hill occupied by john Dodge. he threatened him to cast him out from it if he continued to be contrary to America, as he was before. he stood there some days with his troops, during which time the wheat had been delivered peaceably and no body has been hurted."[1]

With the rising anger of the French and the promised assistance of Clark, Dodge began to feel that his position was becoming a dangerous one. He therefore collected his property and sometime in the spring crossed to the Spanish side, leaving a farmer to guard the fort and such of his possessions as he left there.

With the departure of Dodge all difficulties were by no means overcome. Since the expected authority from Congress to form a government did not arrive, the people began to clamor for some immediate form of judiciary, and they naturally turned to the government which had been established by John Todd. They knew no other nor was there any semblance of legality to be found except in the revival of their former civil organization. The final decision to revive the court came from the people and not from the county lieutenant, who, however, when consulted gave his unqualified approval.[2]

The clamors of the Americans, who numbered over one hundred, were heeded in this new establishment and they were given the franchise. Unfortunately for the French party the newcomers were more familiar with the use of the ballot, and by concentrating their votes were able to elect three of their own number to office. These were Henry Smith, John McElduff, and Thomas Hughes. The other three candidates elected were Antoine

[1] De la Valiniere in *Papers of Old Cong.*, xlviii., 19.

[2] Barbau to Langlois, May 2, *Kas. Rec., Letters.*

Bauvais, François Corset, and J. Bte. Bauvais.[1] These last had all held office before. Henry Smith was made president of the court. He was about fifty years old, and had come from Virginia to Illinois in 1780 and settled at Bellefontaine.

The first session was held on June 5, 1787, probably without the presence of the French justices, who were not willing to admit Americans to the bench. At this session no business was transacted.[2] On the 7th of July the French justices posted on the door of the church a memorial addressed to the people, in which they set forth their objections to serving on the same bench with the Americans. The chief difficulties they raised were the impossibility of the American and French judges understanding each other and the hopelessness of finding an interpreter capable of successfully performing his duties. The protest contained their definitive decision, and the two parties were compelled to separate. The result was that the Americans outside the village were turned adrift, and Bellefontaine, from this time, ceased to belong to the Kaskaskia district.[3] An agreement was drawn up the day after the protest, in which the signers promised that the court should remain French as it had been constituted by John Todd, and that the Frenchmen receiving the next largest number of votes should be added to the list of judges. These were Vitale Bauvais, Nicolas Lachance, and Louis Brazeau. The number of signatures was not large, but the presence of John Edgar's name gave some promise that his influence would be thrown on the side of peace.[4] The presence of the three members of the

[1] Certificate of election by Barbau, *Kas. Rec.* I prefer to explain the composition of the court as above rather than to regard it as the result of agreement, because the protest of the French justices, noted below, would have been made before rather than after the election, if there had been any agreement to divide the court between the two classes of inhabitants.

[2] Mason, *John Todd's Record-Book*, 308; *Kas., Rec., Petitions*. The government thus revived is probably the one to which Colonel Harmar refers, when he writes: "There have been some imposters before Congress particularly one Parker, a whining, canting Methodist, a kind of would be governor." (Smith, *St. Clair Papers*, ii., 35.) In a petition to Congress written by Tardiveau, who favored the American party in the Illinois, it is said: "That a simple report of a committee of Congress recommending the situation of the Illinois country has been by some designing persons palmed upon them for a frame of government actually established." *Papers of Old Cong.*, xlviii., 209.

[3] See *post*, p. cxlviii.; In Mason, *John Todd's Record-Book*, 312, there appears a jury trial attended by several Americans from Bellefontaine. They were probably called in on account of an insufficiency of Americans in the village to form a jury.

[4] Both papers in *Kas. Rec.* The record of the sessions of this court may be found in the back of *John Todd's Record-Book*, 308 *et seq.*

Bauvais family among the justices may be explained by the fact that few important French families had remained in Kaskaskia during these trying years, for the majority had preferred to seek refuge under the Spanish government.

The question of the court had hardly been settled, when Colonel Harmar, who commanded in the Northwest, appeared in the village with some United States troops. He had been sent to the Illinois to make a general inspection of conditions, particularly to put an end to the anarchy at Vincennes due to Clark's garrison, and arrived at Kaskaskia on the 17th of August.[1] He was accompanied by Barthélemi Tardiveau, a French mercantile adventurer, who had had relations with the Kentucky separatists [2] and was a personal friend of John Dodge, with whose brother he had lived at the Falls of the Ohio.[3] Tardiveau had very little knowledge of the conditions existing in the Illinois other than what he had learned from the Dodges; but Harmar was persuaded that he was the best informed man in the country and made him his interpreter and chief adviser.[4] Dodge returned to his fort above Kaskaskia where he entertained the colonel, whose associates from this time were almost exclusively members of the Dodge party. Even after Harmar had visited the orderly village of Cahokia, his opinion of the French still remained somewhat affected by the influence of these men, so that he reported: "I have to remark that all these people are entirely unacquainted with what the Americans call liberty. Trial by jury etc. they are strangers to. A commandant with a few troops to give them

[1] Smith, *St. Clair Papers*, ii., 22, note, 30 *et seq.*

[2] Roosevelt, Winning of the West, pt. v., ch. i. I have found several notices of Tardiveau to prove his importance in the development of the West, but such notices are so disconnected that almost nothing can be said of his life. He lived for a time in Holland and was later engaged in the fur trade at Louisville, before 1786. His influence with Governor St. Clair was as great as with Harmar, and he was appointed colonel of militia and judge of probate of St. Clair County. (Smith, *St. Clair Papers*, ii., 165.) He evidently did not remain long on the American side, for he was shortly afterwards at New Madrid and engaged in the Mississippi trade with Pierre Menard and others. This enterprise failed. (*Menard Col., Tard. Papers.*) In 1793, he was associated with Genet's scheme and was appointed chief interpreter. He died before 1800.

[3] *Papers of Old Cong.*, xlviii., 13.

[4] Smith, *St. Clair Papers*, ii., 31, 35.

orders is the best form of government for them; it is what they have been accustomed to."[1]

Although the majority of the French were ready to accept without question any disposition that might be made of them, some members of their party were by no means satisfied with the course of events. The leader of this faction was the Vicar General Huet de la Valiniere. His most important follower was the clerk, Pierre Langlois, who had been an adherent of Richard Winston and was an irreconcilable enemy of John Dodge. The priest, however, had lost all influence over the French by his own tyrannical methods. His was a nature to make enemies, and during the past year by his close adherence to the canonical law and his harsh and personal attacks in his sermons against individuals he had managed to stir up every community of the American Bottom against him.[2] He and his associates were not willing to give up the old issues against the Americans, and were particularly exasperated that Tardiveau, a friend of John Dodge, should be the spokesman for the villagers; for said they, "that frenchman who speaketh easily the English language is come lately here with Col. Harmar whom he inspired with sentiments very different from those which we could expect from a gentleman in his place. He deceived him in their way as he was himself deceived. He made him stay, live and dwell only in the houses of friends of Dodge, he accompanied him everywhere like his interpreter, but he could not show him the truth being himself ignorant of it, he gave allways an evil idea to every word proceeding from those who Dodge thought to be his enemies."[3] Tardiveau could not ignore this attack and declared that Langlois was opposed to any change in the regulations made by Todd. To justify himself Langlois, accompanied by the priest, presented himself before Colonel Harmar and said: "We desire and expect every day one regulation from the honl Congress, but now till it may come, having none,

[1] Smith, *St. Clair Papers*, ii., 32. A further proof of the influence of Dodge is given by Harmar's unfavorable opinion of Parker, who had carried the message of the French party to Congress. Harmar writes that he was very "unpopular and despised by the inhabitants." (*Ibid*, ii., 35.)

[2] See papers printed in *Amer. Cath. Hist. Researches*, New Ser., ii., No. 3.

[3] *Papers of Old Cong.*, xlviii., 19

we did by common consent aggree to keep the same brought by Mr Todd, till the other may come, and Mr Tardiveau would do better to deceive not others as he is deceived himself." The narrative continues: "Afterward the same Mr Langlois having shown the above said proofs against John Dodge who was present, the said Dodge was so much angry that in the presence of the Lieutenant Makidoul [Ensign McDowell] with several others in the yard he did cast himself upon the said Mr Langlois and putting his fingers in his eyes and hair he would have made him blind, if the officer had not cryed against him."[1]

Harmar did not care to become mixed up in the local quarrel, which he probably regarded as beneath his notice, and gave his support to the government which had been established, so far as to tell the inhabitants to obey their magistrates.[2] Dodge, however, felt that the victory belonged to him, and after the departure of the troops assembled his friends in his fort and "fyred four times each of his great canons, beating the drums etc."

Harmar brought discouraging news to the American settlers, who had received land grants from the deputy county lieutenants and courts. They were informed that such titles had no legal value, since Congress had forbidden settlements on the north side of the Ohio.[3] This affected the villages of Bellefontaine and Grand Ruisseau. In this condition Tardiveau saw his opportunity. He agreed with the settlers to represent their case before Congress and obtain for each of them a concession of land, in consideration of one tenth of all land thus granted. The agreement was signed by one hundred and thirty Americans. He also represented to the French that their sufferings merited payment in land and offered to obtain for each of them a grant of five hundred acres on the same terms. The French had begun to learn the American habit of speculating in land, at least they thought they saw their opportunity to imitate that example, and most of them took advantage of the offer. In

[1] *Papers of Old Cong.*, xlviii., 19.

[2] Smith, *St. Clair Papers*, ii., 32.

[3] *Ibid*, 31.

all fifty-three signed the contract at Kaskaskia, as did also the most representative citizens of Cahokia. To Pierre Langlois this act seemed to be a surrender to the enemy and he realized that the French would never reap the benefit, as in fact they did not, for the majority were too indolent to cultivate the ground they already possessed. He therefore wrote a letter to Congress saying that the French had been deceived and were not in need of that form of relief.[1]

For the next year Tardiveau deluged Congress with petitions. They were long wordy affairs full of glittering generalities and flowery phrases. He had been given copies of all the previous petitions and other important papers, and out of these he wove a story to soften the hearts of the congressional delegates; but he was careful not to mention names or particular events of the last few years, for his constituents were of all the parties which had divided Illinois politics, and he wished to obtain lands for all. He painted the French as living in Arcadian simplicity, guided only by the dictates of conscience and innocently bowing to the hardships thrust upon them, but through all their troubles retaining an unbounded faith in the goodness of Congress and a faithfulness to the American cause. The Americans he pictured as making settlements with all faith in the power of the courts to grant land, and as being greatly surprised at the illegality of the titles thus obtained. He allowed himself to speak against Clark and his officers who, on account of the recent attack on the Indians and the garrisoning of Vincennes, were in little favor.[2] He found that George Morgan and his associates were attempting to obtain a grant of land for a colony in the same region and protected the interests of his constituents from them.[3]

Tardiveau was successful in arousing an interest in the French and gaining for them grants of land. Between the years 1788 and 1791 three laws were passed, either by the Continental Congress

[1] *Papers of Old Cong.* xlviii., 89.

[2] See his petitions in *Papers of Old Cong.* xlvii., 119, 123, 209; xli., 275.

[3] *Papers of Old Cong.*, xlviii., 89

or the Congress of the United States, by which four hundred acres were given to every head of a family living in the villages in the year 1783, and a hundred acres to those enlisted in the militia in 1790; to satisfy the Americans they were granted titles to lands which had been taken up under concessions of a supposed authority and which had been improved.[1] The history of these land grants belongs to a later era; for twenty years were to pass before the many difficulties arising out of them were settled. Sufficient for our purpose is the fact that very few of the petitioners or their families were benefited by the concessions, for, long before the claims were settled, the rights of the original grantees were purchased by American land speculators. That story is but a continuation of the present one, the supplanting of the French by the more virile Anglo-Saxons.[2]

While Tardiveau was thus representing the misfortunes of the Illinois to Congress, the Court which had been founded with such hopes had, after a short period of innocuous existence, passed away.[3] The French of Kaskaskia were not experienced enough to inaugurate a new movement after the events of the past years. Had they been left to themselves they might have succeeded as well as the Cahokians with self government; but their spirit had been broken, and their natural leaders had taken refuge on the Spanish shore. Influenced by the example of the Americans, the French themselves gave no obedience to the court which they had established. In 1789 John Edgar summed up the character of the people of Kaskaskia in these words: "It is in vain to expect an obedience to any Regulations, however salutary in a place where every one thinks himself master, & where there is not the least degree of subordination. You know better than I, the dispositions of a people who have ever been subject to a military power, & are unacquainted with the blessings of a free government by the voice of their equals. To the commands of a Superior

[1] A good account of these laws is given by E. G. Mason in Chi. Hist. Soc. *Col.*, iv., 192 *et seq.*; see also *Amer. State Papers Pub. Lands*, ii., 124.

[2] In Chester Ill. there are several record books containing the record of these sales of claims. The prices paid for each four hundred acres range from fifteen dollars upwards.

[3] Mason, *John Todd's Record-Book*, 313.

there are no people readier to obey; but without a superior there are none more difficult to be governed."[1]

The end of the court was without doubt hastened by the charge of illegality of its decisions made by the Kentuckians, who refused to recognize any civil organization in Illinois, saying that under the act of Congress, neither the people nor the commanding officer was authorized to appoint magistrates.[2] This reference is to the "Ordinance of 1787", which created a government for the Northwest and under which ordinance Arthur St. Clair was appointed governor in 1788; but, since the effects of this act were not extended to the Illinois till the spring of 1790, the people were without other authority than that which resided in themselves and were for the moment weakened by the ordinance itself, since it annulled all other jurisdiction than that which might be established in accordance with its decrees.

The history of the "Ordinance of 1787" does not fall, however, within the limits of this Introduction; but in one point it was to affect the Illinois seriously and immediately. It prohibited slavery in the Northwest. As soon as this was learned, the French supposed that the slaves which they had always owned would be set at liberty. This fear was used by the Spaniards to draw the inhabitants of American Illinois to their territory as settlers. In 1788 George Morgan, who was, as we have seen, well known in the lands on the Mississippi, was attempting to make a settlement at New Madrid. He had been disappointed in obtaining a grant of land for a settlement on the American side and so accepted the offer of the Spanish government for a large tract on the western bank.[3] He advertised extensively the advantages of the colony, where he had been accorded religious toleration and the free navigation of the Mississippi. One of the arguments he used was the action of Congress in making the land of the Northwest free soil. He attracted many French and Americans by this means in spite of the efforts of Tardiveau and Major Hamtranck, com-

[1] Edgar to Hamtranck *Dr. MSS.*, 2W124–142.

[2] Hamtranck to Harmar November 11, 1789, *Dr. MSS.*, 2W124–142. This was said of the court of Post Vincennes, but was equally true of Kaskaskia.

[3] Winsor, *Westward Movement*, 366.

manding at Post Vincennes, who tried to stop the emigration by assuring the French that Congress had no intention of freeing the slaves already owned in the territory, an interpretation of the ordinance which St. Clair later confirmed.[1]

Another cause of the emigration at this time was the danger to life and property from the Indians. Several tribes of the Northwest were on the warpath and had ceased to spare the villages, as they had previously been inclined to do, when the attachment of the French to the Americans was uncertain. The Miami, the Wabash, the Kickapoos, and the Pottawattamies were all accounted enemies and had made attacks on the unprotected settlements.[2] The villages in the Illinois suffered most, however, from the Piankeshaws of the Spanish bank, who were incited by the Spaniards to burn and murder until the inhabitants should be forced to take refuge under the Spanish government. A writer from Kaskaskia says: "It is well known that the minds of the Indians are continually poisoned by the traders on the other side, who set off America in the most despicable light possible, which has not a small influence with the Indians. Government may not encourage it, but surely if friends to us they ought to put a stop to it."[3] On October 8, 1789, John Dodge, who was glad enough of an opportunity to revenge himself, led a band of these Indians and some whites into the village of Kaskaskia and attempted to carry off some slaves belonging to John Edgar, the most prominent and one of the last Americans to cling to that village. Although he failed, the lives of Edgar, his wife, and John Rice Jones were for a time in the greatest danger.[4]

It is possible that the Spanish government did not send out such expeditions as that led by Dodge, yet the purpose accomplished by such a policy was in accordance with the instructions from the government, if we are to believe the report of Chouteau,

[1] Smith, *St. Clair Papers*, ii., 103, 117, 122, 176; *Dawson to Governor Randolph*, January 29, 1789, *Va. State Papers*, iv., 554; Hamtranck to Harmar, March and August, 1789, *Dr. MSS.*, 2W17, 70.

[2] Hamtramck to Harmar, *Dr. MSS.*, 2W17, 39.

[3] Edgar to Hamtramck, October 28, 1789, *Dr. MSS.*, 2W124–142.

[4] *Ibid.*

who informed Edgar that "orders had been received from New Orleans by the Lieut. Gov^r of St. Louis, for him to make every difficulty possible with the people of this side, so that they might thereby be forced to go to live on the other."[1] That they might be induced to change their allegiance, Governor Miro issued a proclamation offering land gratis and other attractions to all new comers.[2]

A further means of inducing immigration was the enticement of the French priests to the Spanish side. Father Le Dru, who had succeeded De la Valiniere at Kaskaskia, Father St. Pierre at Cahokia, and later Father Gibault were persuaded to take parishes in the Spanish territory. The cause mentioned was not the only one which affected the priests; for they found the French of the American Bottom very indifferent about religion and both unable and unwilling to pay tithes, thus making it impossible for the priests to live among them.[3]

The result of the hardships which the French had endured during these years and the long deferred fulfilment of their dreams of peace and independence was a striking decrease in the population of Kaskaskia. We have seen that in 1778, when George Rogers Clark occupied the village, there were about five hundred white inhabitants.[4] In 1783 there were 194 heads of families. As thirty-nine of these were newly arrived Americans, the figures apparently prove that the French population had remained about stationary.[5] By the census of 1787, there were 191 male inhabitants in the village.[6] Counting 150 women and female children, which is probably too high an estimate for a frontier community, the population was about 341, which would mean a decided decrease. The period of the greatest emigration occurred between the years 1787 and 1790, when anarchy reached its climax in Kaskaskia, and the Spaniards were holding

[1] Jones to Hamtramck, October 29, 1789, *Dr. MSS.*, 2W124–142.

[2] Smith, *St. Clair Papers*, ii., 122.

[3] Jones to Hamtramck, October 29, 1789, *Dr. MSS.*, 2W124–142.

[4] See *supra* p. xvi.

[5] Mason, *Early Illinois Citizens*, Chi. Hist. Soc.'s *Collections*, iv., 198 *et seq.*

[6] *Papers of Old Cong.*, xlviii., 181.

out the greatest inducements to settlers on the western bank of the river. There has been preserved a list of the male inhabitants in Kaskaskia for the year 1790, in which the heads of families are enumerated. The number is 44.[1] This is a decrease of over 77 per cent in the French population of the village since 1783. This list is interesting on account of the names which are missing. Almost all the men who had been leaders of the French people throughout the period of the county of Illinois were no longer residents of Kaskaskia. We look in vain for the names of Cerré, Vitale, J. Bte., and Antoine Bauvais, Corset, Lasource, the elder Charlevilles, Morin, De Monbreun, Langlois, Levasseur, Lafont, Carbonneaux. They have crossed the river to seek peace and safety under the flag of Spain.

The picture of the village of Kaskaskia as described by its people in these last days in a petition to Major Hamtramck is one of utter misery and despair. They wrote: "Our horses, horned cattle & corn are stolen & destroyed without the power of making any effective resistance: Our houses are in ruins & decay; our lands are uncultivated; debtors absconded and absconding, our little commons destroyed. We are aprehensive of a dearth of corn and our best prospects are misery and distress, or what is more probable an untimey death by the hands of the savages.

"We are well convinced that all these misfortunes have befallen us for want of some Superior or Commanding authority; for ever since the cession of this territory to Congress we have been neglected as an abandoned people, to encounter all the difficulties that are always attendant upon anarchy and confusion. neither did we know from authority until latterly, to what power we were subject. The greater part of our citizens have left the country on this account to reside in the Spanish dominions; others are now following, and we are fearful, nay certain, that without your assistance, the small remainder will be obliged to follow their example." [2]

In the foregoing petition the people begged Major Hamtramck

[1] Mason, *Early Illinois Citizens*, Chi. Hist. Soc.'s *Collections*, iv., 209.

[2] *Dr. MSS.*, 2w124–142.

to send twenty soldiers with an officer to maintain order and to give them authority to establish a civil government. The petition was accompanied by a letter from John Edgar, who promised to furnish barracks and supplies for the soldiers at the very lowest price until the governor could make other arrangements.[1] This Hamtramck had no authority to do, nor could he afford to send the men; but he forwarded the petition, and so far exceeded his powers as to authorize the formation of courts of justice. These were never established, since justices without troops would have no means of enforcing the law.

The trials of the last year broke the courage of John Edgar, who had realized the possible greatness of the territory, and had used his influence to promote peace and to bring a government to the disordered and disheartened village. In November, 1789, he wrote: "The Spring it is possible I can stand my ground, surrounded as we are by Savage enemies. I have waited five years in hopes of a Government; I shall wait until March, as I may be able to withstand them in the winter season, but if no succour nor government should then arrive, I shall be compelled to abandon the country, & I shall go to live at St. Louis. Inclination, interest & love for the country prompt me to reside here, but when in so doing it is ten to one but both my life & property will fall a sacrifice, you nor any impartial mind can blame me for the part I shall take."[2] Edgar was not compelled to abandon the country of his adoption, for in the month designated Governor St. Clair arrived in the village of Kaskaskia.

The history of the village of Kaskaskia at which the county government had been established is the story of the prolonged suffering of the French population. Tyranny followed upon tyranny. After the Virginia troops had stripped the people, came John Dodge with his policy of terrorism, and when he had been overthrown and the French people had seized the power, their hands were too feeble to maintain order at home, and their village

[1] *Dr. MSS.*, 2wi24–142.

[2] *Ibid.*

became the prey of the savages and Spaniards. From this picture, it is a pleasure to turn to the village of Cahokia at the extreme north of the American Bottom. Here the troubles were somewhat similar in kind as those at Kaskaskia, but never so virulent and the court of the district of Cahokia was able to establish itself and its authority so securely that even the abandonment by Virginia and the United States could not shake it. The letter from the state's attorney, Joseph Labuxiere, printed in this volume draws the contrast between the conditions existing in the two villages in the following words: "The misunderstanding of the magistrates of Kaskaskia and the extreme disorder of the business of the individuals, occasioned by some persons greedy for money, have compelled me to withdraw with my family to Cahokia, where I have found the inhabitants filled with the unity of peace and fidelity to the states, and a court which the justices are careful to administer with equity to those who ask its help."[1]

Another fact gives striking proof of the condition described by Labuxiere. At the beginning of the period the population of Cahokia numbered about 300 inhabitants.[2] In the year 1787 a careful census was made and there were 240 male inhabitants, which would make the total population over 400, and in 1790 Cahokia was capable of supporting three companies of militia while Kaskaskia had but one.[3] Thus while Kaskaskia was decreasing, Cahokia was growing both in size and in importance, and becoming the "metropolis" of the American Bottom.

As far as can be learned François Trottier was the commandant of the militia throughout this period and it is due largely to his efficient administration of the police that the village prospered.[4] The justices were elected annually by the assembly of the people until the passage of the Ordinance of 1787, when, in anticipation of a new government, regular elections ceased and the same jus-

[1] See *post*, p. 589.

[2] See *supra*, p. xv.

[3] Mason, *Early Illinois Citizens*, Chi. His. Soc.'s *Collections*, iv., 216 *et seq.*; see *post*, p. 632.

[4] In 1785 Antoine Girardin held this office temporarily as did J. B. Dubuque at a later period.

tices continued in office. In August, 1788, there was an election of three magistrates to fill vacancies made by resignation. It was the last election held in the county of Illinois. The justices held their sessions with great regularity and their administration was admirable.

The relation of Cahokia to the county government was never very close. In fact the people of that village did not appear to have any very great respect for the Kaskaskians; for in their petition to Congress in 1786 they begged that body not to submit them to the jurisdiction of the southern village, because they knew "the incapacity, spite, and partiality of those who would exercise it."[1] The high sounding title of deputy county lieutenant meant little more than head of Kaskaskia. This at least was the feeling of the Cahokians, and the only hint that such was not the actual condition is the fact that Timothe de Monbreun made several journeys to Cahokia in order to negotiate with the Spaniards and Indans in the interest of the whole territory.[2] That he or any of the other deputies of John Todd really had the power to interfere in the affairs at Cahokia is not apparent from the records, and, in the absence of proof and in view of the actual powers exercised by the court of the village, it seems best to regard the county government as more formal than actual.

We have seen that the Kaskaskians complained of the establishment of the Michillimackinac company at Cahokia. From the year 1783 many British merchants found their way to the Illinois and established stores in the village. Among the names which occur are J. B. Perrault, representing Marchisseaux of Montreal, James Grant, Meyers, Tabeau, Guillon, William Arundel, John Askins, and others.[3] These merchants practically monopolized the fur trade of Illinois; but the Cahokians, finding that they interfered with the Indian trade as well, were strong enough to make regulations to protect their own interests and gave a limited monopoly of that trade to one of the citizens

[1] See *post*, p. 587.

[2] *Memorial of De Monbreun*, Va. State Lib.

[3] Narrative of Perrault in Schoolcraft, *Indian Antiquities*, iii., 355; this volume, *passim*; Smith, *St. Clair Papers*, ii., 174.

of the village and prohibited all sale of liquor to the savages by others.[1] When the Indian outrages reached their climax in the year 1789 and Kaskaskians were begging the military officer at Vincennes to send troops for their defense, the court of Cahokia still further regulated intercourse with the Indians and forbade all sale of liquor by any one.[2]

Exactly how the Cahokians were affected by the intrigues of the Spaniards in the later years, it is impossible to say. At the end of the record of the sessions will be found an unexplained punishment of a Frenchman from St. Louis who was evidently attempting to undermine the power of the court; but once again that body was equal to maintaining its authority and, from the complaint of the prisoner, it would appear that the support of the villagers was given to the government.[3]

Cahokia was not disturbed by the Americans in the same way as her sister village, for the American troops did not remain in the village after 1780 and very few individuals took up their residence there. Aside from the British merchants only four non-French names appear in the later years as actual citizens, Thomas Brady, Philippe Engel, Isaac Levy, and William Arundel, and of these the first three seem to have become completely gallicized and to have married French women. The American settlers who came in closest contact with the Cahokians resided at Grand Ruisseau, which fell within the district of the village. In 1786 they were permitted by the magistrates, as we have seen, to appoint a captain of militia, but they remained subject to the immediate jurisdiction of the court except in such cases as might be decided by arbitrators.[4]

Cahokia, however, was not to escape wholly without trouble from these neighbors. After the failure of the Americans in the spring of 1787 to capture control of the court of Kaskaskia the settlers of Bellefontaine and Grand Ruisseau determined to establish a rival and independent court, for which purpose

[1] See *post*, p. 73, 125, 215, 259, 575
[2] See *post*, p. 607.
[3] See *post*, p. 437.
[4] See *post*, p. 217.

they held an election and chose magistrates. If the movement had been confined to the first named village, which was in the district of Kaskaskia, the Cahokia government might not have made any opposition; but the inclusion of the village of Grand Ruisseau was an affront to the one French court which had proved its right to exist. Fortunately for the Cahokians, the leaders of the movement wished to supplant Robert Watts, their appointee, in his office of commandant. This aroused Watts to immediate action, particularly as his rival was James Piggott, a man who represented the more restless and impatient element among the Americans.[1]

Watts came to Cahokia and addressed the court in Ciceronian periods, pointing out the danger which threatened the law and order of the district by this innovation or revolution. The danger was not exaggerated. The court at Cahokia represented the only stable power in the Illinois at the time, and with a rival court of Americans at Grand Ruisseau and Bellefontaine, there would inevitably have followed disorders which might have taken on the character of a civil war between the two peoples. Certainly the two courts would not have acted together for the suppression of lawlessness. The action of the court of Cahokia was prompt and energetic. It prohibited the holding of any independent assemblies of the people or sessions of the court, and condemned the leaders of the movement to be put in irons for twenty-four hours and, in case they disobeyed the order of the court, they were to be driven from the territory. The magistrates of Cahokia were not weak. Their decrees were executed. In striking contrast to the timidity and inefficiency of the court of Kaskaskia is the action recorded by the *hussier* under that decree against the Americans: "The present decree has been executed the same day."[2]

This revolution occurred in August or early in September. The Cahokia justices now felt the need of taking some steps to

[1] Piggott was later appointed by St. Clair one of the first judges in the district of Cahokia. Smith, *St. Clair papers*, ii., 165; for some account of him see *post*, p. 190, note 1.

[2] See *post*, p. 597 *et seq.*

satisfy the demands of the Americans. Those at Bellefontaine belonged by right to the Kaskaskia jurisdiction, but to expect from the Kaskaskia French the maintenance of law and order was hopeless. Therefore, when all the Americans of the region petitioned for admittance to the district of Cahokia and the right of electing a justice of the peace at each of the two chief settlements, the petition was granted at the October session of the court, and the election of a justice and a militia officer at Bellefontaine and of a justice at Grand Ruisseau was confirmed on November 2d.[1] Thus around Cahokia there centered all the forces which made for peace and order, and even the American settlers, who had assisted in the overthrow of the court of Kaskaskia, were able to escape the anarchy which their presence had produced only by submitting to the Frenchmen of the northern village.

As may be seen in the following pages, the court at Cahokia continued to maintain order in its district until other and more legal regulations were made. During the last years the court was constantly expecting the arrival of the governor, who had been appointed in 1788 under the law creating the Territory Northwest of the Ohio River; but Governor St. Clair was unable to reach the Illinois until two years after his appointment. Finally after long delay, on March 5, 1790, he actually arrived in Kaskaskia. This was the limit of time John Edgar had fixed to which he would wait for the inauguration of a government at that village. The Cahokia court held its usual meeting in the same month, and again on the first of April the court heard suits brought before it and adjourned to the first of May. Here the record of the sessions of the Court of the District of Cahokia of the county of Illinois ends, for on the 27th of April the county of St. Clair was instituted and two days later the appointment of the judges of the new courts was announced.

The history of these new courts is of a later date than the limit of the present Introduction, but the next period in the history of Illinois is a continuation of that which we have already

[1] See *post*, p. 307

reviewed. The French were not able to struggle against the Americans, who were now placed in the ruling positions, and a new exodus of the population began. To follow the destinies of the more energetic families named in these pages, it is necessary to cross the river. The descendants of J. Bte. Barbau, of the Bauvais, the Sauciers and the Trottiers are to be sought not in the territory or state of Illinois, but in that territory which for a few years remained under the dominion of Spain, where the French took refuge. The census of several old French towns of the western banks of the Mississippi reveals the presence of many families once inhabiting the American Bottom. The French have not figured prominently in the later history of Illinois, but the continuation of their civilization is found in the sister state of Missouri, where they still form an important element in the population; or else in the far West, where many descendants of the sons of Kaskaskia and Cahokia fled before the advance of the American settlers and followed the life for which they had been trained, that of trader, pioneer, and trapper.

In the foregoing history of the "County of Illinois" I have based the narrative upon the source material that has been preserved from that time, some account of which should be given, since several of the collections studied have been unknown to previous historians of the period and none have been used so extensively before.

1. Kaskaskia Records:[1] These were found by myself in the office of the circuit clerk of Randolph county at Chester, Illinois, in the late summer of 1905. They consist of 2804 eighteenth century documents of all sizes, ranging from the scrap of paper to a volume of 444 pages, and of all kinds of legal instruments, ordinances, and letters. The number issuing from the county of Illinois is 506. I have classified them according to character, i. e., certificates, land grants, political papers, etc. They are cited as follows:

[1] Alvord, "Eighteenth Century French Records in the Archives of Illinois," *Annual Report* of Amer. Hist. Assn. for 1905.

Kas. Rec., Pol. Papers, etc. This collection belongs to the county of St. Clair and is kept in the fireproof office of the circuit clerk. Temporarily it is loaned to the library of the University of Illinois for my use. One document, which I failed to see at the time of the discovery, is still in Chester. Since it is of great value and no report has yet been made upon it, I give a description of it here. It is a court record of 256 pages. Pages 1-57 contain the records of the sessions of the court of judicature founded by Colonel Wilkins in 1768 and of the judgments of the military commandants, acting as judges after the abolition of the court, up to January 30, 1773. Pages 57-90 were used to record deeds, etc., from May 9, 1776, to June 23, 1778. The rest of the book contains the registrations for the next two years, made by the clerks after the occupation of the country by Clark. Several of the pages are missing.

2. Cahokia Records:[1] These belong to the county of St. Clair, Illinois, and are kept in a fireproof museum in the courthouse at Belleville. The most important of these documents are printed in this volume and need no further description. Besides those printed, there are a number of marriage contracts and other instruments in Belleville; and 170 documents, which were formerly in the county treasurer's office, are now in the library of the Chicago Historical Society.[2] The proper citation is *Cak. Rec.* in Chicago or in Belleville, Ill.

3. Menard Collection: This consists of the correspondence and letter-books of Pierre Menard, who settled in Kaskaskia in 1790. The majority of the letters date from the latter part of Menard's life; but in the collection are four large bundles of letters and documents which belonged to Barthélemi Tardiveau, agent of the Illinois people in 1787 and 1788. Two of these bundles are composed of copies of records from the Kaskaskia record-book and some original manuscripts, which he used for his information in drawing up his petitions to Congress. There are in all sixty-one selected documents emanating generally from the French

[1] *Ibid*; *Bulletin* of the Ill. State Hist. lib., vol. i, No. 1.

[2] I have learned too late to make the necessary changes in the foot-notes that the Chicago Historical Society has returned these documents to Belleville.

inhabitants, which makes this collection one of the most valuable for the history of the county of Illinois. The majority of these document were copied by the clerk of the court in the spring of 1781, at the time the people of Kaskaskia commissioned Prevost and McCarty to represent them at the capitol of Virginia.[1] They are all properly authenticated by Richard Winston, deputy county lieutenant.

4. Draper Manuscripts:[2] These are so well known that a description of them is unnecessary. They were collected by Lyman C. Draper during his long and useful life, which he devoted to the collection of material for the study of western history, and they form the most valuable part of the Wisconsin Historical Society's collection of manuscripts. For my purposes the George Rogers Clark Manuscripts, contained in sixty-five volumes, have been of the most use. They are cited as *Dr. MSS.* 52J50, the first number being the volume, the second the page and the letter (J) the library symbol for the Clark MSS. I went through these volumes and had copies made of all the manuscripts which would be of value to me. Most of the copies were from original documents, but, since on the copies it was not indicated whether they were from original manuscripts or copies, I have not dared trust to my memory to indicate this distinction in the footnotes. I have made some use of other collections in the Draper Manuscripts, particularly the Harmar MSS. These are copies made by Mr. Draper.

5. Haldimand Collection: Frederick Haldimand was appointed governor of Canada in September, 1777, and held this position until 1784. During this time his correspondence was large and this he carefully preserved. It is now in the British Museum and the Public Record Office in London. The collection contains the letters, reports made to him, and copies of important papers which were enclosed in these. The Canadian Archives has had transcripts of this collection made and has calendared it in its *Reports*. The copies I have used were made

[1] See *supra* pp. ciii., n. 3, cxxxviii.

[2] Thwaites, *Descriptive List of MSS. Collections.*

from the Canadian transcripts. These are cited as *Can. Archives*, B., etc. Many of these have been printed in the *Michigan Pioneer and Historical Collections* and the *Illinois Historical Collections*, Vol. I.

6. Papers of Old Congress:[1] Many petitions with enclosures were sent by the people of Illinois to Congress. These have recently been transferred to the library of Congress.

7. Collection of Virginia State Library: There is a quantity of unused manuscripts in Richmond, to which I have had partial access; but, since they have not been catalogued, there are many important documents which I have not seen.

8. Miscellanies: I have used letters and documents in the possession of other institutions and several private individuals, to which references are made in the proper places.

It is to be regretted that I have not seen several important collections, which might have thrown light on the subject. They are the following: Private library of C. M. Burton of Detroit, Michigan; collection of documents from Vincennes in Vincennes University and Indianapolis Public Library; private library of Colonel R. T. Durrett of Louisville, Kentucky; and the Bancroft Library of the University of California.

The printed sources for the history of the county of Illinois are numerous, and an effort has been made to see everything. Those used will be found listed in the bibliography at the end of this volume.

After considerable study of the problems of transcription and translation, I determined to make the former as similar to the manuscript in every particular as the printed page will permit. For this reason the superior letters and repetitions have been retained, as being very characteristic of the methods of the writers. All erasures, however, have been omitted, after a careful consideration of each case had made it certain that no information of value would be lost thereby. Insertions made by the clerk in the margin have been included in their proper places in the text.

[1] A practically complete inventory of these papers is printed in "Bulletin of the Bureau of Rolls and Library," No. 1.

The punctuation and paragraphing have been copied as in the original, with the exception of the periods placed at the end of each paragraph. These are not always found in the text. There were numerous cases of doubtful paragraphing, each of which has been decided in accordance with what seemed to be the intention of the clerk. In order to save space the list of judges is printed in double instead of single columns, as is the rule in the record. Occasionally I have inserted a word in brackets which had been omitted by accident or torn out. Brackets throughout the volume indicate insertions by the editor, the word or words being in roman letters, where an evident omission or mistake by the original writer; in italics, when merely an explanation. Assurance of the correctness of the transcription in cases of bizarre spelling, etc., has been indicated by the conventional *sic*, which has been used only when the mistake appeared very extraordinary or might be thought an oversight in the proof-reading. The writers of these records, like many of their contemporaries, preferred the phonetic to the historic spelling. The most common mistakes are made in the vowel before the nasals and in the endings é and er, these latter being spelled in any way that will produce the sound. Frequently the pronunciation of an unrecognized word will lead to its identification. To the duplication and transposing of letters are due such forms as *deffendeur, effest, deffucnt.* In transcribing I have followed this principle, that, when there was a legitimate choice between an apparent bizarre spelling and a possibly correct one, preference should be given to the latter. I feel quite confident that the number of mistakes in the transcription is very small, for, in the preparation of the manuscript and in proof-reading, Mrs. Alvord has collated it twice with the originals and I have made five such comparisons. This is true of all the transcriptions except those of the Cahokia records in Chicago, for which I have had to trust to my original copies.

The translation of the records has offered many difficulties, due largely to the haste with which the clerk was obliged to write the testimony as he heard it. The sentences are frequently involved, abbreviated, or not finished. The French is on the

whole good, by no means a *patois*,[1] and the legal phraseology excellent, particularly that of Joseph Labuxiere, who was a well-trained notary. In making the translation I have had in mind the needs of the many readers who do not understand the original language. The first requisite in such a work has seemed to be a faithful and clear interpretation, which should follow closely the original rather than the production of a piece of finished English. Since the translation may be used by the reader of French as a running commentary, it has obviated the need of numerous footnotes to the text. All proper names have been spelled in the translation in accordance with the following principle: in all cases where I have found a signature, that spelling has been adopted; in all other cases, the modern form as found in Canada has been used, provided identification was possible.

[1] I would not undertake to pronounce upon the character of the written French without the support of other authority. A French traveler to the village of Vincennes in the eighteenth century was surprised to find that the language of the people was not a *patois* as he had been led to expect. (Volney, *View of the United States*, 373; see also Flagg, *Far West*, in Thwaites, *Western Travels*, xxxvii., 55.) Mr. Benjamin Sulte, who has read the proof of this book, writes that the French is next to the best and the legal phraseology excellent. My colleague, Professor Thomas E. Oliver of the department of modern languages, who has given me great assistance in the translation, laid down the principle for guidance in the interpretation of difficult passages that aside from misspelling and abbreviated sentences, the writers follow the correct usage. By the application of this principle many difficult problems of translation have been solved.

PETITION TO CLARK[1]

To George Rogers Clark Esq'r Collonel and Commandant of the Eastern Illinois &ca.

The Pettition of Jean B^{te} DeCoste.

Humbly Sheweth —

That he has had a Considerable demand against M^{r} Hanson of this Town and has never been able to make him answer thereto, and the Petitioner having heard that the said M^{r} Hanson is about leaving this Place he has recours to you, begging you will be Pleased to order the said Hanson not to depart without giving sufficient security for the Settlement of the affair between him and the Plaintif and will ever as in duty bound pray &c.—

Kahôs the 27th Aug^{t} 1778.

his

Jno. Bte. + De Coste.

mark.

Ce que J. B. De Coste a payer pour la Societte

	lb[2]	S	D
pay sur leur Billet de son propre	3327.	14.	6
paye un Billet 120 lb peletier	240.		
paye un autre 193 lb Di	386.		
	L 3953.	14.	6
De Coste a paye Hanson	1976.	17.	3
	3347.	14.	3
	135.		
	3482.	14.	3

[1] Original manuscript; Chicago Hist. Soc., *Cahokia Records*. Transcription by the editor. These records were formerly in the treasurer's office of the courthouse in Belleville, Ill. Alvord, *Eighteenth Century French Records*, in *Annual Report* of Amer. Hist. Assn., 1905, i., 365.

[2] *Livre*, which was equivalent to the modern *franc*.

STRAY LEAVES FROM THE COURT OF THE COMMITTEE OF CAHOKIA[1]

Islinois ss

By ordre of the Committe of Cahôs

Il est ordonner a M^{r} Antoine Harmand d^{t} Sanfaçon de parroitre devant la Cour de Committee des Cahôs Vendredy prochain trent du present mois pour repondre a la Demand de Dominique O'flanigan a cela vous manquera point et de celluy faite votre retour Donne au Kahos 29^{m} d'Octo^{b} 1778[2]

a Mons Gab^{l} Constante pour Signifier celluy — Richard M^{c} Carty Clke[3]

Virginie Illinois ss

By Joseph Bowman[4] Esq. Capt. Commandant, Presid^{t} of the Court of Cahôs &ca. &ca.

Whereas Mr. De Breuil of St. Louis makes complaint to me that M^{r} Antoine Lepage of St. Josephs is indebted unto him in the Sum of eighty eight livres five Sols Peletries by his note of hand Dated 11th January 1770. and tho' several times Demanded

[1] Original manuscripts; Chi. Hist. Soc., *Cah. Rec.* Transcription by the editor. The first is the earliest known document issuing from the court established by G. R. Clark at Cahokia. See *Introduction*, p. xlvi.

[2] Translation: "M. Antoine Harmand called Sansfaçon is summoned to appear before the Court of the Committee of Cahokia Friday next, the thirtieth of the present month, to answer the prayer of Dominique O'Flanigan. In this you shall not fail and make thereof your return. Given at Cahokia, October 29, 1778. To Gabriel Constant, to make service thereof. Richard McCarty, Clerk."

[3] Richard McCarty came from the colony of Connecticut. He was living in Cahokia before 1776, and built a mill there on some land he had preempted. See pp. 465, 529. At the coming of Clark, he joined the Illinois battalion and took part in the Vincennes expedition. In the fall of 1779 he was appointed commandant of Fort Bowman at Cahokia and made himself very unpopular with the inhabitants by his tyranny. Later he joined the French party and was killed in the spring of 1781 while carrying a petition from the inhabitants to the governor of Virginia. See *Introduction*, pp. lxxiii., xcvii., ciii.; also *post*, pp. 543, 549.

[4] Joseph Bowman was one of the captains with Clark in the Illinois expedition and was sent by the latter to receive the submission of Cahokia. He remained in command of the village till the Vincennes expedition and seems to have won the hearts of the French. After his return from Vincennes he remained in Cahokia for a short time. He established the first popular court of justice in the Illinois and was himself elected to the position of president of the same. For further particulars see *Introduction*, p. xlvi. He died at Vincennes, August 14, 1779.—English, *Conquest of the Northwest*, i., 108 *et seq.*

hath not been paid and whereas said D Breuil is afraid If said Ant'ne Lapage Leaves this Country that he will Loose his said Debt.

These are therefore in vertue of the Power and authority to me Given to Command you to Seize so much of the Effects of the Said Antoine Lapage If to be found in this district to pay & Satisfie said Debt & Costs (or that Sd. Lapage pays Sd. sum & Costs,) and them safely keep, return whereof make to next fryday the 27th Inst Court of Committee hereof fail not this being your Sufficient Warrant.

Given under my hand at Fort Bowman 24th of Nov. 1778.

Jos. Bowman.

To Gab. Constant constable this to execute

En vertue de cet Warrant, je a été a la requisition de Mr De Breuil, je a saisé une Barrique de taffea dans la maison de Mr Lapage, de laquelle Mr Ant. Girardin sa rendue Caution au Cahôs 24 de Novr 1778.

Gabriel Constant.

Il est due encore 64lb 15 Sols en peletries et les frais.[1]

[1] Translation: "In virtue of this warrant and on the requisition of M. Dubreuil, I have attached a barrel of tafia in the house of M. Lepage, for which M. Ant. Girardin has given bond. At Cahokia November 24, 1778, Gabriel Constant. There is still due 64 *livres* 15 *sols* and the costs."

The *sol* is the modern *sou*, and was pronounced like it.

COURT OF THE COMMITTEE AT CAHOKIA[1]

[1st sheet]

Execu . . [*MS. torn*] . . ecuring any slave so found in the . . [*MS. torn*] . . or elsewhere, Contrary to this order, and to inform & prosecute in behalf of the Publick any other person that Should act Contrary to the same

Thursday 31st Decr 1778.

Joseph Bowman Esqr — Capt Touranjeau

Mr. Langlois — Mr. Gratiot

Present[2]

Bapt Bastien Neagor of Mr Saucier alias of Belcour call'd & Examined touching his Poisoning the negor of Marie Laurant of St Louis as sd neagor hath Declared.[3]

[1] Four leaves from the record of the court founded by George Rogers Clark in the archives of the courthouse at Belleville, Ill. They have been bound by mistake with the *Minutes of General Court of Illinois Territory, St. Clair Co., April term, 1811*. Transcription by the editor. Except for the time of the Vincennes expedition, McCarty was clerk.

[2] For the convenience of repeated reference, all biographical notes on those who were living in Cahokia in the year 1787 will be found with the census of that year, p. 624. Notes on others will appear in their proper place and may be found by consulting the index.

The full name of Turanjeau was Pierre Godin called Turanjeau. He died in 1779.

The parents of Charles Gratiot were French, but on account of their Huguenot faith were dwelling in Switzerland, when their son Charles was born in the year 1753. Charles Gratiot received a mercantile education, and before he reached his majority went to Canada to engage in the fur trade. In 1777 he was in Cahokia and in August of the next year opened a store in partnership with some British merchants from Canada, although in the month before Illinois had submitted to the Virginians. From letters of his it appears that he maintained relations with his uncle in Canada and probably with his partners as long as he remained in Cahokia. He gave financial assistance to Clark, as did all the other French inhabitants. Gratiot was elected a justice of the court established by Clark and later of the court at Cahokia under the county of Illinois. Finding the conditions on the American bank too stormy for his business interests, he moved to St. Louis in 1781, where he became wealthy and prominent. His sons held many important positions in public life. Charles Gratiot was a cultivated man, traveled extensively both in this country and Europe and was favorably known both for his business capacity and social qualities. *Wisconsin Hist. Col.*, x, 239 *et seq.*; *Menard Col., Tard. Papers*; Dillon, *Annals of St. Louis*, I., 214, 481 *et seq.*

[3] See *Transcripts from the Cahokia Record*, p. 13. The following is the translation of a document of the *Cah. Rec.* in the Chicago Hist. Soc. lib.: "The year 1778, the 29th day of December at 3 o'clock in the afternoon, in virtue of the order of Don Fernando de Leyba, lieutenant governor of the Illinois, which was given me this day, I, Bernard Gibkins, physician at this post, betook myself into the house of the woman Laurant, inhabitant of this post, in order to examine her negro. I found the said negro in bed, and after a careful examination, I perceived that the sickness, by which he was attacked, proceeded from a violent poison. His body was in convulsions and his limbs rigid on account of the corrosive poison, which had insinuated itself into all parts of his body. The negro is in danger of death and it will be only the result of chance, if he recovers; in which case the use of his limbs may be lost for the rest of his days. In faith of which I give the present report, which I affirm to be true, to you, M. Lieutenant-Governor. At St. Louis the said day, the 29th of December, 1778. B. Gibkins."

Questioned whither he gave any Cake or anything Else to eat to s^d^ Neagor.

answers that s^d^ neagor met him and after salutations s^d^ neagor says, I am told you intend fighting with me. I asked for what, on acco^t^ of Martin's wench. oh Brother says I. we shall never Quarelle for that your Country people besides she is every ones Whore, therefore shall never Quarelle about that. after which s^d^ neagor s^d^ he had a peine in his Breast. I asked him if he had over strained himself. he s^d^ not unless it was by Carrying 30 Bush^l^ of Corn that day into the Garret, and that he Neither Eat or Drank with Him nor gave him Even a pipe of Tobacco.

Bap^t^ Le Neagor d'M^r^ Robert. Declare n'avoir Veu Donne p^r^ Bastienne au'cune Gallet ni autre chose a man[ger] ou à Boir a la d^t^ Neagor de M^d^ Laurant.

B^t^ neagor of M^r^ Robert Declares that he did not see Bastienne give Cake or any other thing to Eat or Drink to M^d^ Laurant's Neagor.

the other neagor . . [*MS. torn*] . . he was at no Place with the neagor of M^d^ Laurant except at his masters house where he gave him a Glass of wine as he was going off that he did not see Bastienne with him.

Thursday 7^th^ January 1779.

MICHEL BEAULIEU *vs* L^s^ LACOMPTE

a Summons to appear fryday 8^th^ to answer such alligations which shall be made against him with his witness if he has any.

a summons to appear fryday 8^th^ to give Testemony in the above Cause. Jean Racette & Haugon La Croix.

Fryday 8^th^ January 1779.

Jos. Bowman Esq^r^ M^r^ Langlois
Cap^t^ Trottier M^r^ Graciot

Present

M^R^ BEAULIEU *vs* L^S^ LACOMPTE

Plt Demands that proves what he has advanced to M^r^ Langlois, that he M^r^. Beaulieu said to his Neagor take care dont Confess anything or you will be hanged.

Defend^t^ say's he heard it from Jean Raccette, who say's he

heard it said at the Court house the day the neagor's were punished but of whom or from whom he dont kno'.

Louis Louisgaut Sworn, that Mr LaCroix told him in the street, after the neagor of La Croix was whiped that Mr Beaulieu staid in the Ct house with him, and that LaCroix said I believe Beaulieu tells his neagor not to Confess or you will be hanged.

[2nd sheet][1]

sworn into office as President of the Court of Committee at Cahôs.

Lieut Perrault, Presidant	Mr Girirdin
Mr Graciot	Mr Trouttier

Present.

[*MS. torn*] .. Complains to the Ct that whereas he has .. [*MS. torn*] .. several artecals to Mr Wills & has Received his money in Payment thereoff & as the money is now Cried down in the Vilage he Demands that the said Wells should gave [*sic*] further security for the goodness of the money before he shoud take the affects out of the vilage.[2]

Mr Wells in answer says that he Bought the artecals of the said Marthan & as he is a man fair from home and on Business, therefore he Desires that the Ct would Either Prove it and Condemn his money to be bad, or if not to Gave [*sic*] him his Effects that he Bought of said Marthan and that he Does not understand that the Voice of any Disaffected Person should without any Lawfull grounds be hurtfull to his trading in this Country as he has a Proper Passport from all the officers of Post on the Ohio River & that he Could Prove that Mr Marthan Refused to Deliver the affects.

Mr. Bournes sworn says that this morning sd Marthan came to Mr Wells Lodging and said that sd marthan Refused to .. [*MS. torn*] .. go out of the Village without .. [*MS. torn*] .. Further security for the goodness of the Currency that wells had Payed him.

Mr. Wells further says that if any Person would Come before

[1] The first and fourth sheets are in McCarty's handwriting and the other two were written by some one else.

[2] On the assurance of the Virginians the French accepted in payment for their supplies the continental paper at face value in gold. It was not until the winter of 1779 that they began to suspect that they had been deceived. The above is the earliest reference to their suspicions.

the C[t] and Refuse to take the said money for Payment of Debt that upon the same he would Gave good security for his Remaining in this Place till Col Clark some other officer should Return to this Place that was Proper Judges of the s[d] money.

Upon which Mr. Marthan sent for Jos Beautheau whome he said Refused to take the money for a note he had Given him s[d] Beautheau said that he did not Demand his Payment as not Being Due till spring Come a Year so he had not Refused any sort of Payment that was Lawfull.

[3d sheet]

Lieut Perrault President — M[r]. Beaulieu
Cap[t] Trouttier — M[r]. Girirdin
M[r] Graciot — Present

Louis Lasoudray Pltf M[r] Deneau & M[r] LaPadge Deft

M[r] Deneau & M[r] LaPadge appeared the third time to satisfy themselves of the Crime laid to their Charge [and] no Person Came to Prosecute them & They Declared themselves Innocent of The Crime laid to their Charge. The Honorable Court Therefore thought Proper to Dis[charge] them and Clare them of the said Crime laid [to] their Charge &c ordering that the said Lasoudray [shou]ld pay all Cost and Expence whatsoever the said [De]neau and La Padge has been at to Justify themselves of this Hanious Crime Laid to their charge also Gaving The said Deneau & LaPadge Privalage to Prosicute the said Lasoudray for the same on the other side.

Adjourned M[r] Perrault.

Fryday the 2[nd] day of April 1779.

C[t] Oppened.

Lieut Perrault Presidant — M[r] Graciot
Cap[t] Trouttier — M[r] Touranjeau

Present.

J. B[t] LaCroix Plff. *vs* Michel Charle Deft.

J. B[t] LaCroix Complains to the Court that whereas he Engaged Micheal Charle in his service for the space of one y[ear] and his time of servace not yet Being accomplish[ed] Refuses to serve him any longer & Therefore ..[*MS. torn*].. to kno. some

lawful Reason for his so doing. s[d] Charle in his defence says that the said La[Croix] imposed upon him too hard by ordering him to [work] late & Early & in the night which he Refused [*MS. torn*] upon which they had some Despute after which he the s[d] Charle Left his house & Refused to serve him any longer.

After Desputing some time between the. .[*MS. torn*]

[4th sheet]

him do it and that it was with this Depo[t] Gun.

C[t] are of opinion that it was not the shot Caused the Death of the . .[*MS. torn*]

Plt. to pay costs.

Jacque Method Plt *vs* Renoch Locat Deft for his sister M[d] V[ve] Method

Plt Demands the rent of 3 years for a piece of Land Deft has occupied amount'g to 99[lb] in Pelet[ries].

Def[t] says there is no writing to produce and Desire's to kno in whose Name s[d] Lands were Cried to hire and B Method Pfts Brother held said Land, only for making the fence.

C[t] are unanimous of oppinion that the widow has no Right to pay any Part of rent, & Plt to pay Costs.

C[t] adjourned to fryday next 30th. Ap[r] Inst.

Jos Bowman

Fryday 30th. April 1779.

Major J[s] Bowman Presid[t] L[t] Beaulieu

Madame Capitaine, by authority from her Husband desires to give up a house Bought of Deceased M[r] De Lintot, being incapable of paying the same. M[r] McCarty the Executor named by this Court, in consequence of her giving up same prays that the Court will order that said house be sold by publick outcry for the paying a Certain Sum due on said house by said M[r] Delintots Estate, p[r] mortgage to Mad[m] Detolsey and the overplush If any for the Good of his s[d] Lintots Creditors.

Members not being present Sufficent to form a majority ajourned to fryday next the 7th. May.

Fryday 7th. May 1779.

Jo[s] Bowman Presid[t] Cap[t] Touranjeau
Cap[t] Trottier L[t] Beaulieu
members Present.

ACT CREATING THE COUNTY OF ILLINOIS[1].

AN ACT *for establishing the County of Ilinois, and for the more effectual protection and defense thereof.*

WHEREAS by a successful expedition carried on by the Virginia militia, on the western side of the Ohio river, several of the British posts within the territory of this commonwealth, in the country adjacent to the river Mississippi, have been reduced, and the inhabitants have acknowledged themselves citizens thereof, and taken the oath of fidelity to the same, and the good faith and safety of the commonwealth require that the said citizens should be supported and protected by speedy and effectual reinforcements, which will be the best means of preventing the inroads and depredations of the Indians upon the inhabitants to the westward of the Allegheny mountains; and whereas, from their remote situation, it may at this time be difficult, if not impracticable, to govern them by the present laws of this commonwealth, until proper information, by intercourse with their fellow citizens, on the east side of the Ohio, shall have familiarised them to the same, and it is therefore expedient that some temporary form of government, adapted to their circumstances, should in the meantime be established:

Be it enacted by the General Assembly, That all the citizens of this commonwealth who are already settled, or shall hereafter settle, on the western side of the Ohio aforesaid, shall be included

[1] Hening, *Statutes at Large* (Virginia), ix., 552. A committee was instructed by the Virginia assembly on November 19, 1778, to prepare a bill for the formation of the county. This was presented to the assembly November 30, 1778, and passed in its final amended form on December 9th. It was signed by the speaker of the senate on the 17th and subsequently, if at all, by the speaker of the house of delegates. On the 12th of December Governor Patrick Henry issued the instructions in accordance with the provisions of the act.—*Jour. H. of Del.* (Va.), *Oct. Sess.*, 1778, p. 106; *Jour. of Senate* (Va.), *Oct. Sess.*, 1778, p. 52; Rowland, *George Mason*, i., 307; Boggess, *Immigration into Illinois*, 1778–1830 (a thesis in manuscript). Dr. Boggess was the first to work out the history of the act, and I am greatly indebted to him for the loan of the thesis, from which this note is taken. No writer had previously determined the exact date of the passage of the act and all but one (Rowland, *George Mason*) have been indefinite or incorrect in giving it.—Winsor, *Westward Movement*, 122; Poole, in Winsor, *Nar. and Crit. Hist.*, vi., 729; Thwaites, *How George Rogers Clark Won the Northwest*, 64; Boyd, in *Amer. Hist. Rev.* iv., 623; Roosevelt, *Winning of the West*, ii., 168; and many others.

in a distinct county, which shall be called Illinois county; and that the governour of this commonwealth, with the advice of the council, may appoint a county lieutenant or commandant in chief in that county, during pleasure, who shall appoint and commission so many deputy commandants, militia officers, and commissaries, as he shall think proper in the different districts, during pleasure, all of whom, before they enter into office, shall take the oath of fidelity to this commonwealth and the oath of office, according to their own religion, which the inhabitants shall fully, and to all intents and purposes enjoy, together with all their civil rights and property. And all civil officers to which the said inhabitants have been accustomed, necessary for the preservation of peace and the administration of justice, shall be chosen by a majority of the citizens in their respective districts, to be convened for that purpose by the county lieutenant or commandant, or his deputy, and shall be commissioned by the said county lieutenant or commandant in chief, and be paid for their services in the same manner as such expenses have been heretofore borne, levied, and paid in that county; which said civil officers, after taking the oaths as before prescribed, shall exercise their several jurisdictions, and conduct themselves agreeable to the laws which the present settlers are now accustomed to. And on any criminal prosecution, where the offender shall be adjudged guilty, it shall and may be lawful for the county lieutenant or commandant in chief to pardon his or her offense, except in cases of murder and treason; and in such cases, he may respite execution from time to time, until the sense of the governour in the first instance, and of the general assembly in the case of treason, is obtained. But where any officers, directed to be appointed by this act, are such as the inhabitants have been unused to, it shall and may be lawful for the governour, with the advice of the council, to draw a warrant or warrants on the treasury of this commonwealth for the payment of the salaries of such officers, so as the sum or sums drawn for do not exceed the sum of five hundred pounds, anything herein to the contrary notwithstanding.

And for the protection and deffence of the said county and its

inhabitants, *Be it enacted*. That it shall and may be lawful for the governour, with the advice of the council, forthwith to order, raise, and levy, either by voluntary enlistments, or detachments from the militia, five hundred men, with proper officers, to march immediately into the said county of Ilinois, to garrison such forts or stations already taken, or which it may be proper to take there or elsewhere, for protecting the said county, and for keeping up our communication with them, and also with the Spanish settlements, as he, with the advice aforesaid, shall direct. And the said governour, with the advice of the council, shall from time to time, until further provision shall be made for the same by the general assembly, continue to relieve the said volunteers, or militia, by other enlistments or detachments, as herein before directed, and to issue warrants on the treasurer of this commonwealth for all charges and expenses accruing thereon, which the said treasurer is hereby required to pay accordingly.

And be it farther enacted, That it shall and may be lawful for the governour, with the advice of the council, to take such measures as they shall judge most expedient or the necessity of the case requires, for supplying the said inhabitants as well as our friendly Indians in those parts, with goods and other necessaries, either by opening a communication and trade with New Orleans, or otherwise, and to appoint proper persons for managing and conducting the same on behalf of this commonwealth.

Provided, That any of the said inhabitants may likewise carry on such trade, on their own accounts, notwithstanding.

This act shall continue and be in force, from and after the passing of the same, for and during the term of twelve months, and from thence to the end of the next session of assembly, and no longer.

TRANSCRIPTS FROM THE CAHOKIA RECORD.

Jeudy 10[e] Juin 1779.

president pierre Godin	B[te] Saucier
francois trotier	antoine Girardin
Charle Gratiaut.	michel Beaulieu
	present.

Catherine negresse a B[te] Saucier, apprés avoir Eté appelé Et examiné a dit que l'anné Derniere son mari ayant demandé a Son maitre, pour Saller promener aux Kas. que lorsque manuel et maurau negre appartenant a Messieurs LeCompte Et baulieu ont Sut quils y alloit il luy ont apporté une Chopine de tafia, disant que Setoit pour Son Voyage, Et quil nût pas plutot but de cette Eau de vie quil Se Senti malade Et quil Est encore Jusqua present Et que le Jour que les dits negre ont Eté pris ayant Eté acqusé D'avoir Empoisonner plusieurs personne que ses même negres luy ont avoué quils ont Empoisonner Son mary; Elle deClare que le nomé Morau luy a dit que manuel vouloit Lorsqu'il Luy a donné de la medecine il vouloit le faire mourir subitement, mais quil luy avoit repondu quil valoit mieu le faire mourir En lengoeur Et que depuis ce tembs il est Languissant La d[te] negresse Declare Encore que maurau luy avoit dit que manuel Voulait apsolument Empoisonner M[r] Martin Et Sa femme Et que La negresse dud[t] Sieur Etoit de ce Complot Et qu'un autre negre nomé Guanga appartenant aud[t] sieur Martin ayant Eu nouvelle de cela Leur avoit dit

[1] These transcripts were made by the Cahokia clerk for the court at Kaskaskia, which exercised superior jurisdiction in this case. They are from the *Kaskaskia Records*. Transcription by the editor.

The evidence of these records is very interesting, for they explain the two warrants for execution of these two negroes to be found in *John Todd's Record-Book* in Chicago Hist. Soc.'s *Publications*, iv., 302 and 303. According to the *Record-Book*, Manuel was condemned to be burned to death, a punishment against negroes which was permitted the county courts of Virginia.—Chitwood, *Justice in Colonial Virginia*, in *J. H. U. Studies*, Series xxiii., No. 7, p. 101. Although Todd issued the warrant, he repented the next day, crossed the copy of the warrant out and issued a new one, in which the penalty was hanging.—*Kas. Rec.* Mason in his *Chapters from Illinois History*, 264, suggested without sufficient authority that the crime for which the negroes were punished was voudouism, and he is followed by Roosevelt in his *Winning of the West*, ii., 175, where he compares the prosecution of the negroes in Catholic

TRANSCRIPTS FROM THE CAHOKIA RECORD.[1]

Thursday, June 10, 1779.

President, Pierre Godin.	Bte. Saucier.
François Trottier.	Antoine Girardin.
Charles Gratiot.	Michel Beaulieu.

Present.

Catherine, a negress belonging to Bte. Saucier, after having been summoned and examined, said that last year her husband had asked of his master permission to walk to Kaskaskia and when Manuel and Moreau, negroes belonging to MM. LeComte and Beaulieu, knew that he was going, they brought him a pint of tafia[2] saying that it was for his journey; and that he had no sooner drunk of that liquor than he felt sick and that he is still sick up to the present; and that the day on which the said negroes were arrested on the accusation of having poisoned several persons, these same negroes confessed to her that they had poisoned her husband; she declares that the named[3] Moreau told her that Manuel, when he gave him the medicine, wished to make her husband die suddenly, but that he had answered that it was better to make him die slowly; and she said that since that time her husband has been pining. The said negress declares also that Moreau had said to her that Manuel positively wished to poison M. Martin and his wife and that the negress of the said gentleman was in this plot; and that another negro named Guanga belonging to the said M. Martin, having had news of this, had said to them that if they didn't take away the poison, which they had

Illinois with that of the white witches of Puritan New England. The denial of sufficient proof for this explanation of the warrants was made in Shea's *Life of Archbishop Carroll*, 190.

[2] Tafia was a cheap rum, which formed the staple liquor of the West. The word *eau-de-vie* is used throughout the record as the equivalent of liquor, without reference to any particular kind.

[3] *Nommé* is used to designate some person named in the proceedings, but not previously mentioned in the record.

que Si il ne retirer pas le poison quil avoit Jetté ché Son maitre, quil les declareroit Se qui fit quil détérairent un poison quils avoit Enteré sous Le Soeul de la porte.

paul negre appartenant a M^de^ Lapencée ayant Eté appellé Et examiner a dit quil avoit Entendu dire par tout les negres qui ont deja donné Leur Deposition que les nomé manuel et maurau avoit Empoisonner toute Les personne mentioné Dans La DeClaration qui a Deja Eté faite par Eux.

Le nomé Sasa negre appartenant a mad^lle^ Buet ayant Eté appelé Et examiner a dit que ayant Eté dans la Cabane du Sieur Martin demender une pipe de tabac a Sa negresse nomé Janette Et quelle luy avoit dit daller au chevet de son lit quil En trouveroit, Et qu'ayant regarder, il auroit trouver une Corne Dans laquelle il y avoit du Sang qui Bouillet, Et qu' ayant Ete Surpris il fut demender a la negresse ce que Setoit, que la negresse luy dit de ne point toucher a cela, et que cetoit manuel qui luy avoit Donné pour faire mourir Son maitre Et Sa maitresse, et que maurau ayant Sut cela lui fut dire; Comment tu garde une chose comme cela ché toi Est ce que tu ne Sait pas que cette avec Cette Corne que manuel Sest Servie pour faire Empoisonner monsieur et madame nicol. il declare de plus qu'un negre nomé Samba appartenant a M^r^ quenel prit Cette Corne Et la fut montrer a maurau que MauRau Luy dit que Cetoit la même Corne que manuel luy avoit donné pour faire mourir mons^r^ Et madame Nicol.

signé pierre Godin. president.

Pour Copie Conforme a Loriginal reste Sur Le Registre de la Court aux Kaos le 10^ie^ Juin 1779.

fr saucier Greff^er^

Premiere interogation faite au negre de M^r^ Jaquet nomé francois, apres avoir Etté apelé Et Examiné a dit que Le negre nomé maurau luy avoit dit a luy parlant quil avoit fait mal au negre de M^r^ Laurant, de S^t^ Louis par raport a la negrese de mon^r^ martin nomé Janette Comme ayant quelque Commerce tous deux avec elle que cetoit le Sujet pourquoy il luy avoit donné Du poison; Declare encore ledit negre que des lorsque le

thrown into his master's house, he would denounce them, which caused them to dig up a poison which they had buried under the threshold of the door.

Paul, a negro belonging to Madame Lapancé, after being summoned and examined, said that he had heard all the negroes, who have already given their testimony, say that the named Manuel and Moreau had poisoned all the persons mentioned in the declaration which has already been made by them.

The named Sasa, a negro belonging to Mademoiselle Buyat, after being summoned and examined, said that he was in the cottage of M. Martin to ask for a pipefull of tobacco from his negress, named Janette, and that she had told him to go to the head of her bed and he would find some, and that when he looked he had found a horn in which there was boiling blood; and as he was surprised, he had asked the negress what it was; that the negress told him not to touch that, and that it was Manuel who had given it to her to put her master and mistress to death; and that Moreau, when he knew that, had said to her: "What! Can you keep a thing like that in your house? Do you not know that it was this horn that Manuel used to poison Monsieur and Madame Nicolle?" He declares furthermore that a negro, named Samba belonging to M. Quenel, took this horn and had shown it to Moreau and that he said that it was the same horn that Manuel had given him to put to death Monsieur and Madame Nicolle.

Signed, Pierre Godin, President.

Copy conforms to the original spread on the record-book of the Court at Cahokia, June 10, 1779.

Fr. Saucier, Clerk.

First cross-examination of the negro called François belonging to M. Jaquet. After having been summoned and examined, he said that the negro, named Moreau, had told him in conversation that he had made the negro of M. Laurant of St. Louis, sick on account of the negress of M. Martin, named Janette, since both had some intercourse with her, and that this was the reason he had given him poison. The said negro declares, also,

negre de M^r^ Laurant a Santi malade Et quil sut bien Etre Empoissoné, il vint trouvé ledit maurau et luy dit, mon païs, ote moi donc le mal que tu ma fait, a quoy ledit maurau a repondu quil n'etoit plus tems, Ce nest pas a mon pouvoir de te l'oter, Celuy de Mon^r^ laurant luy repeta encore que si il vouloit le guerir quil le payeroit Bien a quoy ledit maurace repondit quil ne le pouvoit pas. et que neanmoins celuy de m^r^ Laurent en partant luy lessa un quatine Et un mouchoire et luy promettant que Si il ne mouroit pas quil le Satisferay plus Emplement.

a une autre interogation Le dit negre du Sieur Jaquet declare quapres que le negre du Sieur Laurant Eut Eté traversé quil mourut peu de tems appres Et quil fut reprocher au deux negre Soupsoné Empoisoner En leurs disant; Comment Voila Encore un negre mort que lon dit que vous aviés Empoisonné a quoy ledit maurau luy repondit que Si il lavoit fait il netoit pas Seul que Cetoit manuel qui Etoit le chef de la medecine et quil luy en fournissoit Lorsqui'il en avoit Besoin.

Declare encore ledit negre que maurau ayant demandé quelque faveur a la negresse de Mons^r^ Nicol quil luy promit que Si elle le luy accordoit quil luy Donneroit de la Medecine pour adoucir sa maitraisse Comme Setant plain a luy quelle Etoit trop Mechante Et en donnat pareillement au mari de laditte negresse pour Son maitre Et qu' apres la mort de feu m^r^ nicol et sa dame ledit maurau demanda ce qu'on luy avoit promis, La negresse particulierrement ne voulut point luy accorder ce quelle avoit promis ce qui fit led^t^ maurau L'empoisonna et quelle en mourut.

A dit encore led^t^ negre que lorsque laditte negresse de feu sieur nicol Est tombé malade que plusieurs negres du païs de laditte negresse furent trouver maurau pour le Soliciter a guerir laditte negresse a quoy ledit maurau repondit quil n'etoit plus a Son pouvoir de luy oter ce quil luy avoit donner.

Cupidon negre a B^te^ Saucier ayant Etté appellé et interroger, a declarer que le nomé maurau Lorsque M^r^ et M^de^ Nicol furent mort quil dit a leur negresse; tu doit être presentement contante voila ton maitre Et la maitraisse morte tu peu te promene et aller

[1] A basin for melting metals.

that as soon as the negro of M. Laurant felt sick and he surely knew that he was poisoned, he came to find the said Moreau and said to him: "My countryman, take away the sickness which you have given me," to which the said Moreau answered that, it was too late "It is not in my power to take it from you"; and that the negro of M. Laurant said again that if he would cure him he would pay him well, to which the said Moreau answered that he could not do it; but, nevertheless, the negro of M. Laurant in going away left him a basin[1] and a handkerchief and promised him that if he did not die he would satisfy him more fully.

At another cross-examination, the said negro of M. Jaquet declares that, shortly after the negro of M. Laurant had been sent across the river, he died; and that he had reproached the two negroes suspected of poisoning and said to them: "What! There is another negro dead, whom they say you have poisoned"; to which Moreau replied that if he had done it, he was not alone, for it was Manuel who was the medicine-chief and had furnished him poison whenever he had need of it.

The said negro declares also, that Moreau had asked some favor of M. Nicolle's negress and promised her that if she granted it to him, he would give her medicine to make her mistress gentle, as she complained to him that the latter was very bad, and he gave some likewise to the husband of the said negress for his master; and that after the death of the late M. Nicolle and his wife, Moreau demanded what had been promised to him, and the negress did not particularly wish to grant him what she had promised; and for this reason the said Moreau poisoned her and she died therefrom.

The said negro said also that when the said negress of the late M. Nicolle fell sick, several negroes of the country of the said negress went to find Moreau to beseech him to cure the said negress; to which the said Moreau answered that it was no longer in his power to take from her that which he had given her.

Cupidon, a negro belonging to Bte. Saucier, after being summoned and cross-examined, declared that, when M. and Madame

ou tu voudra, a quoy le mari de lad^te negresse dud^t sieur nicol luy repondit nous ne tavions pas Demander de Les faire mourir nous ne voulion seulement que tu Les adoucissent un peu, maurau Demanda a la negresse de luy accorder ce quelle luy avoit promis, la negresse luy repondit quil Etoit trop Vieux, et quelle ne Le Vouloit pas. ha [*sic*] dit led^t maurau tu me trouve trop vieux et bien tu t'en repentira Et que peu de tems apres il l'empoisonna la negresse Suivant la declaration dud^t negre.

Cette faitte par Les Susdits negres, a Etté faitte en presence de Messieurs trotier, tourangeau, Beaulieu martin Et B^te saucier qui on dit que Les Depositions faitte par Les dit negre ci dessus només, quils Etoit de leur opinion quapres avoir Entendu dire par divers negres que les dits manuel et maurau avoit fait ce dont its Etoient accusé: quil Doivent Etre vrayament Coupable aux Cahôs 10 Juin 1779, a huit heure du Soir En la Maison de B^te Saucier.

fr. saucier Greff^re Signé pierre Godin.

Copie Conforme a l'orginal resté Sur Le registre de la Court.
f. Gref.

THE ARRAIGNMENT BY THE STATES ATTORNEY.

Je Soussigné Procureur P^r L'Etat de la Virginie au district des Illinois à L'honneur de Representer a La Cour Respectable des Kas que par les deposition des diferens Negres des Kahos il Parroit que Les Negres Moreau & Manuel Sont Effectivem^t Coupable du Crime Horrible a leurs Charge. et que par toutes les declarations & temoinages il Parroit que le negre Moreau est plus Coupable que L'autre ayant Administré les Poisons que L'autre luy auroit donné.

Par les Quels Poisons plusieurs des bons sujets de cette Republique & des soldats de la garnison Sont Mort.

C'est pourquoy au Nom de L'Etat Je pense Messieurs que sy vous Trouvé les dits Negres Coupable vos prononcerés leurs Sentence de Mort et en Nommerés le Jour et la maniere d'Exetion qui ne peut etre trop Cruelle pour des Criminels,

[1] This document does not belong to the records of Cahokia, but since it is one of the acts in the prosecution of the negroes, it seemed best to include it. It belongs to the *Kas. Rec.*

Nicolle were dead, the named Moreau said to their negress: "You ought to be content now. There are your master and mistress dead and you can take a walk and go where you wish;" to which the husband of the said negress of the said M. Nicolle, answered: "We did not ask you to make them die. We wished only that you make them a little gentler;" and that Moreau asked the negress to grant him what she had promised and the negress replied to him that he was too old and that she did not wish to; that the said Moreau said: "You find me too old, and well shall you repent of it"; and that shortly after he poisoned the negress according to the declaration of the said negro.

These depositions made by the negroes aforesaid were made in the presence of MM. Trottier, Touranjeau, Beaulieu, Martin, and Bte. Saucier, who have said that the depositions were made by the said negroes aforenamed, and that it was their opinion, after having heard it said by divers negroes, that this said Manuel and Moreau had done that of which they were accused, and that they should be found truly guilty. At Cahokia June 10, 1779, at eight P. M., in the house of Bte. Saucier.

Fr. Saucier, Clerk. Signed, Piere Godin.

Copy conforms to the original spread on the record-book of the Court.

F. Clk.

THE ARRAIGNMENT BY THE STATES ATTORNEY.[1]

I, State's Attorney of Virginia, for the District of Kaskaskia, hereunder signed, have the honor to set forth to the honorable Court of Kaskaskia that from the testimony of different negroes of Cahokia it appears that the negroes, Moreau and Manuel, are really guilty of the horrible crime of which they are accused; and that from all the declarations and testimonies it appears that the negro Moreau is more guilty than the other, since he has administered the poison which the other had given him.

From which poisons several of the good subjects of this Republic and soldiers of the garrison have died.

This is the reason why in the name of the State I think, gentlemen, that if you find the said negoes guilty, you should

qui ont Comis des Choses sy Extraordinairem[t] Horrible & affreu.

aux Kaskaskia a 12[e] Juin 1779.

J Girault.

[1] For a discussion of the sentence which was found, see *supra*, p. 12, n. 1. The warrant substituted by Todd for the one copied and erased in his record-book reads as follows: "Illinois to wit. To Richard Winston; Sheriff of Kaskaskia: You are hereby authorized & required between the Hours of Nine & Eleven in the morning of the Sixteenth of this Instant to cause to be executed Manuel a Slave in your Custody by being hung by the neck until he be dead & this shall be your Warrant. Given under my hand & Seal the 14th day of June 1779. Jno Todd jr."—*Kas. Rec., Warrants.*

[2] Jean Girault was born on February 24, 1755, in London, of Huguenot parents. With his brother he sailed from Liverpool for America, and on the voyage both were sick from small-pox, from which the brother died. In New York Jean was employed as clerk and book-keeper by an importing house. It is said by a descendant that he here mastered the Latin, Greek, Hebrew, English, Spanish and Choctaw languages.—*Dr. MSS.*, 27J65. The account is doubtless exaggerated, for he probably learned the classical languages in his youth and he was perfecting himself in Spanish in 1786. The descendant is also responsible for the statement that Girault went to Virginia and later raised a company to join Clark in his expedition to the Illinois. As a matter of fact, he was in that country the year before Clark's expedition; for on March 17, 1777, he purchased a piece of land in Cahokia from Father

pronounce their sentence of death, and name the day thereof and the manner of execution which cannot be too cruel for criminals who have committed deeds so extraordinarily horrible and frightful.[1]

At Kaskaskia, June 12, 1779.

J. Girault.[2]

Gibault and in July of the same year he was appointed notary by Rocheblave.—*Kas. Rec., Court Record*, fols. 107 and 120. When Clark reached Kaskaskia, he found Girault very useful. On July 6, 1778, Girault was appointed interpreter, and wrote Clark's communications to the French. On the 16th of the same month he received a commission as lieutenant in Worthington's company of light horse, an appointment confirmed by the governor of Virginia on December 12th. Todd appointed him state's attorney June 5, 1779. He was commissioned captain by Governor Jefferson June 3, 1781, and on the 9th of the same month Girault appointed Labuxiere state's attorney in his stead. He was made commissary by Clark in 1781. He remained in the army till 1783, when he received his honorable discharge.—*Dr. Mss.*, 27J30. He then moved from Illinois to New Orleans, and sometime after 1786 settled at Natchez.—Girault to Wm. Clark, May 8, 1786; letter in possession of H. Roberts, Chester, Ill. At Natchez he held many important offices, both under the Spanish and U. S. governments. He died in 1813.

REGISTRE DE LA COUR DU DISTRICT DES CAHOKIAS.[1]

a une Court ..[*MS. torn*] ..

President f ..[*MS. torn*] .. char, Gr ..[*MS. torn*] ..

Michel ..[*MS. torn*] .. B^te^ Sauci ..[*MS. torn*] ..

ant. Girardin.

AUGUSTIN RACÉT Demendeur SENFACON Defendeur.

une requette présenté par augustin racet Demendeur qui Demande que le Sieur Sanfaçon luy prouve quil Est un Coquin Et Sa femme une Voleuse Comme il a Eté trété Et accusé par Eux.

antoine armant a produit Sa Defence Contre augustin racet racet [*sic*] par laquel il accuse Ledit racet Detre venu chés Luy Lataquer.

pierre gatient ayant preté Serment De repondre a toute Les question que La Court Luy feroit Et a dit quarivant Du champ, quil a entendu dire par m^de^ racet a M^de^ Senfaçon quelle Etoit une Voleuse a quoy m^de^ Sanfaçon a respondu quelle n'avoit jamais Eté volé de lar Chés Lacroix, Et Declare D'avoir Entendu Dire par Le Sieur Senfacon quen tout cas Si Lad^it^ Dame racette Etoit une voleuse quelle ne tiendray que de famille.

George hait ay ..[*MS. torn*] .. a toute Les qu ..[*MS. torn*].. feroit Et a prou ..[*MS. torn*] Ecrit ..[*MS. torn*]..

Gabriel Baron ..[*MS. torn*].. De repondre a toute ..[*MS. torn*].. Luy feroit Et a dit qu ..[*MS. torn*].. D'augustin racette et ayant eu quelqu ..[*MS. torn*].. avec Le dit Sieur quil Lavoit tretté de Coquin a quoy Ledit Baron Luy a repondu quil netoit pas Comme Sa belle Soeur qui avoit Volé le lar Ch [*sic*]

[1] *Cah. Rec.* in Belleville, Ill., original manuscript. Transcription by the editor. When it first came into my hands, it was unbound. It is made up of six record books, sewed together originally. These had been torn apart and some of the leaves separated. I rearranged them, and they have been rebound by the county officials. A few pages only have been lost. The size of the pages differs, but the average is 12½ by 8 inches. The number of pages is 348, of which 48 are blank, 43 of which are at the beginning, when the clerk used only one side of the sheet. Beginning with page 145 the pages are numbered, but these numbers are not given in the transcription. The water-marks are various.

RECORD OF THE COURT OF THE DISTRICT OF CAHOKIA.[1]

At a Court .. [*MS. torn*] ..

President, Fr. [Trottier] Ch. Gr[atiot.]

Michel [Beaulieu.] Bte. Saucier.

Ant. Girardin. [Present.]

Augustin Racette, Plaintiff, *vs* Sansfaçon, Defendant.

A petition presented by Augustin Racette, plaintiff, who demands that M. Sansfaçon prove to him that he is a rascal and his wife a thief, as he has been accused and called by them [the defendant and his wife.]

Antoine Harmand[2] produced his defence against Augustin Racette and accused the said Racette of coming to his house to assault him.

Pierre Gatient, having made oath to answer all questions which the court should ask him, said that on coming from the field he heard Madame Racette call Madame Sansfaçon a thief; to which Madame Sansfaçon replied that she had never stolen lard from the Lacroix' house. And he further said that he heard M. Sansfaçon say that in any case if the said Madame Racette was a thief, she only took after the family.

George Hait, having [made oath to answer] all [questions the court] should ask [proved] .. [*MS. torn*] .. written.

Gabriel Baron [made oath] to answer all [questions the court] should ask him and said that .. [*MS. torn*] .. of Augustin Racette, and having had some [words] with the said gentleman that he had been called a rogue, to which the said Baron answered that he was not like Racette's sister-in-law who had stolen lard from the Lacroix's house and chickens from Sansfaçon's;

[2] His full name was Antoine Harmand called Sansfaçon, and he is called in the record either Harmand or Sansfaçon. This additional name was very common among the French in America, and sometimes the surname and sometimes the second name has prevailed in the family. The correct spelling of his surname, Harmand, is obtained from his signature.

Lacroix et Les poule a Senfaçon Et le dit racette luy ayant demandé quil luy avoit cela quil a repondu aud[t] racette que Cetoit Le S[r] Dau et Sa femme qui luy avoit dit a quoy le dit racette a repondu que D'au Etoit un j. f[s]. Et sa femme une putin Et qui Le prouveroit.

Gabriel Constant ayant preté Serment De repondre a toute les questions qui luy seran [*sic*] faite Et a dit. que Cetant trouvé chés Butau quil auroit Entendu demandé a Gabriel Baron par racette ou il avoit Entendu dire quils Etoit Des voleur de lar et de poule a quoy ledit Baron a repondu quil avoit Entendu dire chés Senfaçon.

Antoine Lusser ayant preté Serment De repondre a toute Les question quon luy feroit Comme témoin pour le defendeur Et a dit. que madame Senfaçon ayant Ete chés mad[e] racette pour y chercher une poulle quelle reclamet a Elle, et que m[de] racette la tréte de voleuse et quelle ne vivoit que Des volaye d'autruy a quoy m[de] Senfaçon luy a repondu quelle ne luy resembloit pas quelle n'avoit Jamais volé De lar ches Lacroix Et ce Son dit Mil invective.

La Court Est ajourné apres diné a une heure.

f saucier Greffier. f trottier

La Court a renvoyé Le présent procés hor De la Court Comme une Chose honteuse Et indigne. Et a Condanné Le Demendeur a payer Les fraix du dit proces Et quant aux fraix particullier Les Deux partis sont Condanner a les payer chaqu'un En particulier.

Sau

CHARLE GRATIOT Demendeur CONTRE B[te] HAUTIER Dit LACHARETTE.

Charle Gratiot ayant présenté un b[illet] a la Court Contre le Defendeur, ayant apris quil Etoit parti pour le Detroit avec les royaliste Demande quil luy Soit accordé de faire vendre des effest quil a En garde ches gabriel Constant jusqu'a La Conqurence de Sa Somme.

La Court a accordé a la demende Du S[r] charle Gratiot.

Jan B[te]. Lacroix ayant produit un Conte Du par ledit hautier dit Lacharette de vingt Livre Et a preté Serment desus.

and the said Racette having asked where he heard that, he answered that M. Dau[1] and his wife had told him. Whereupon the said Racette said that Dau was a D. F.[2] and his wife a strumpet and he would prove it.

Gabriel Constant, having made oath to answer all questions which should be put to him, said, that being at the house of Butau he had heard Racette ask Gabriel Baron, where he had heard that they were stealers of lard and chickens, to which the said Baron answered that he had heard it said at Sansfaçon's.

Antoine Lussier, having made oath to answer all questions which should be asked him as witness for the defendant, said that, while Madame Sansfaçon was at the house of Madame Racette in search of a chicken, which she claimed belonged to her, Madame Racette called her a thief and said she lived on other people's poultry. To this Madame Sansfaçon replied that she was not like her, that she had never stolen lard from the Lacroix's house; and they said to each other a thousand invectives.

The court adjourned till one o'clock after dinner.

F. Saucier, Clerk. F. Trottier.

The Court dismissed the present suit from court as a disgraceful and shameful thing, and has condemned the plaintiff to pay the costs of the suit and each of the two parties to pay his special costs.

Saucier.

CHARLES GRATIOT, Plaintiff, *vs.* BTE. HAUTIER called LACHARETTE, Defendant.

Charles Gratiot brought into Court a note against the defendant, having learned that he had left for Detroit with the royalists, and prays that it be permitted him to have the goods, which the defendant has stored at the house of Gabriel Constant, sold up to the equivalent of the amount of his note.

The Court granted the suit of M. Charles Gratiot.

Jean Bte. Lacroix produced, and made oath to, an account for twenty *livres* owed by the said Hautier called Lacharette.

[1] Possibly this means Harmand.

[2] The French j. f., or *jean-fesse*, is untranslatable except by some such equivalent vulgarity.

La Court Luy a accordé quil Seroit payer Lors de la vente de Ses effest

une requette présenté a la Court par marie Loüise ulim veuve de feu J^{n} B^{te} Degagné Et par pichet, Demandant de nomer un tuteur pour les mineurs De feu lapierre pour La Conservation de leur peu de bien.

La Court a ordonné une assemblé Damie pour pour [*sic*] proceder a lelextion D'un tuteur Suivant Les Demande

SANFAÇON Demandeur AUGUSTIN RACETTE Defendeur.

Un Compte présenté a la Court par Le Demandeur Contre le Defendeur De la Somme de vingt Sept livres. La Court a ordonné audit racette de payer Ledit Compte sans dellay.

f saucier Greffier f trottier

La Court Est ajourné a vendre 29 [*sic*] 9^{bre} 1779.

a une Court Vendredy 269 ^{bre} 1779.

President M^{r} fr trotier m^{r} ant Girardin

m^{r} Ch Gratiot m^{r} B^{te} Saucier

Present.

M^{r} RENAL Demandeur. M^{r} GRATIOT Defendeur

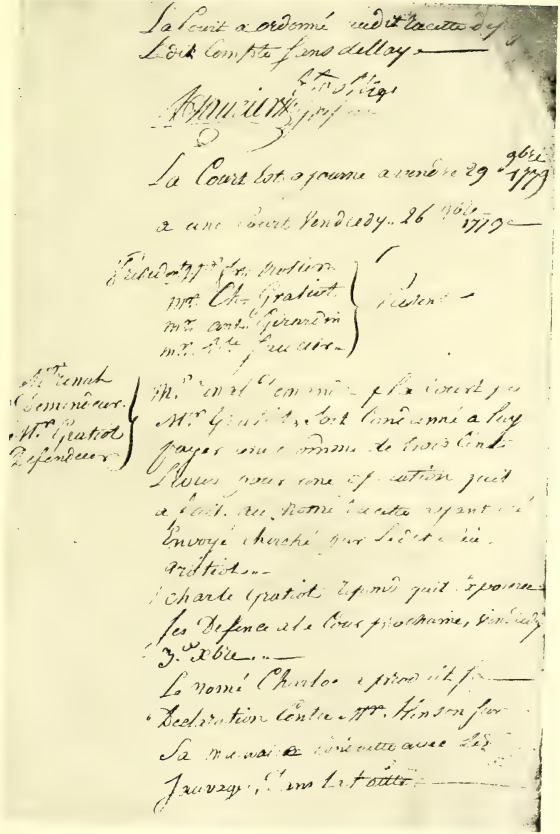
m^{r} renal Demande a la Court que M^{r} Gratiot, Soit Condanné a luy payer une Somme de trois Cent Livres pour une operation quil a fait. au nomé racette ayant Eté Envoyé cherché par Ledit Sieur gratiot.

Charle Gratiot repond quil Exposera ses Defence a la Cour prochaine, vendredy 3^{ie} xbre.

Le nomé Charloc a produit sa Declaration Contre M^{r} Henson sur Sa mauvaise Conduitte avec Les sauvages, Dans la traitte.

Ayant Examiné La Declarition du dit charloc Contre Sieur Henson, La Court a decidé quil seroit sinifié au Sieur Henson de repondre aujourd'huy a deux heure aprés midy a La Declaration faite Contre luy.

[1] In that part of France where the customary law prevailed, the *tutelle dative* was almost universal. It was the law of the *coutume de Paris*, and therefore of Illinois. According to this law, the guardians of minors were appointed by a magistrate, but, as in the above case, very often only after election by the relatives. Under French law, great care was taken of the property of minors, and the office of guardian was regarded as a duty, which should not be lighty refused, although the service was gratuitous. Two guardians were appointed, the second being the surrogate, whose duties were to guard against fraud by the first. The sur-



Facsimile of a Page from the Record of the Cahokia Court,
François Saucier, Clerk.

The Court granted that it should be paid at the time of the sale of his goods.

A petition presented to the Court by Marie Louise Ulim, widow of the late Jn. Bte. Desgagné, and Pichet, praying that a guardian for the preservation of the small property of the minor heirs of the late Lapierre be appointed.

The Court ordered an assembly of friends to proceed to the election of a guardian according to the petition.[1]

SANSFAÇON, Plaintiff *vs.* AUGUSTIN RACETTE, Defendant.

An account presented to the court by the plaintiff against the defendant for the sum of twenty-seven *livres*. The Court ordered the said Racette to pay the account without delay.

F. Saucier, Clerk. F. Trottier.

The Court adjourned to Friday, November 26, 1779.

At a Court, Friday, November 26, 1779.

President, Fr. Trottier. Ant Girardin.

Ch. Gratiot. Bte. Saucier.

Present.

M. REYNAL, Plaintiff *vs.* M. GRATIOT, Defendant.

M. Reynal prays the Court that M. Gratiot be condemned to pay him the sum of three hundred *livres* for an operation which he performed on the named Racette, for which he was summoned by the said M. Gratiot.

Charles Gratiot answered that he would present his defense at the next Court, Friday, December 3.

The named Charloc produced his declaration against M. Henson concerning his bad conduct in his trading with the savages.

Having examined the declaration of the said Charloc against M. Henson, the Court decided that notice should be given M. Henson to answer to-day at two o'clock in the afternoon the declaration made against him.

rogate must be present when the inventory of property was made, and he represented the ward in any suit brought against the guardian. Occasionally the guardians called in the relatives for consultation, as for instance, when the sale of real property was contemplated. Since the families in Illinois were naturally small, friends were also invited to attend such family councils.—Viollet, *Histoire du droit civil Français*, ed. 1905, pp. 576 *et seq.*; Glasson, *Histoire du droit et des institutions de la France*, viii., 526 *et seq.*

La Court Est ajourné a 2e heure apres midy 26e 9bre, 1779.
f saucier greffier. f trottier.

a une Court du 26 9bre a 2 heure apres midy.
President Monsr François trottier — Mr ant. Girardin
Mr Charle Gratiot — Mr. Bte Saucier
présent.

La Court a decidé que Mr Henson Continura son Commerce toute fois quil retirera Sa Dame De La quantine puisque Cest Elle qui tien De mauvais DisCourt au sauvages suivant Les Declaration Du nomé charloc et Celle du peoria, que Cependant Le Dit Charloc Sera appelé pour Declaré En présence dudt sieur Henson Et tant qua tout Les accidant qui pourront arriver par La Suitte, et qui soit prouvé que ce Soit par sa faute, il En Sera toujour responsable En tout Chose.

La Court Est ajourné a vendredy 3 xbre 1779.
f saucier greffier f trottier

a une Court Du 10 xbre 1779.
President Mrs francois trottier — pierre martin
Michel Beaulieu — Bte Saucier
antoine Girardin — charle Gratiot
Présent.

Mr REYNAL Demendeur CHARLE GRATIOT Defendeur.

Le Demandeur Expose a la cour, par une requette que Le Defendeur soit Condanné a luy payer une Somme de trois Cent livres de paux de Chevreuil pour L'imputation quil a fait a la Jamble [*sic*] De Jn Racet, Comme ayant Eté Envoyé chercher par Ledt Sieur Et que ledt Sieur Gratiot avoit promis de payer le chirugien moyenant que le nomé parisien a qui Laccident Etoit arrivé de rembourser ce qui luy En Couteray Et que Cela avoit Ete Dit En presence de Bte allary.

Bte allary ayant paru par ordre Et aprés avoir preté Serment a prouvé quil n'etoit pas aux Cahôs Lorsque Laccident Est arrivé a Jn racette.

Le Defendeur ayant produit Sa Deffence par Laquelle il ne De-

The Court adjourned till two o'clock in the afternoon, November 26, 1779.

F. Saucier, Clerk. F. Trottier.

At a Court, November 26, at two o'clock in the afternoon.

President, François Trottier — Ant. Girardin
Charles Gratiot — Bte. Saucier.

Present.

The Court decided that M. Henson may continue his business, provided his wife shall be withdrawn from the Cantine,[1] since it is she who has been guilty of evil speech with the savages according to the declarations of Charloc and the Peorian; that, however, the said Charloc shall be summoned to make his declaration in the presence of the said M. Henson. The Court further decided that for all accidents, which may occur as a consequence of this continuance and are proved to be due to the fault of the said M. Henson, he shall be held responsible.

The Court adjourned to Friday, December 3, 1779

F. Saucier, Clerk. F. Trottier.

At a Court, December 10, 1779.

President, François Trottier. — Pierre Martin.
Michel Beaulieu. — Bte. Saucier.
Antoine Girardin. — Charles Gratiot.

Present.

M. Reynal, Plaintiff, *vs.* Charles Gratiot, Defendant.

The plaintiff shows the Court by a petition that the defendant should be condemned to pay him a sum of three hundred pounds of deer-skins for the amputation of the leg of Jean Racette which he performed, as he had been summoned by the said gentleman; and the said M. Gratiot had promised to pay the surgeon on condition that the named Parisien to whom the accident had happened, reimburse him what it cost therefor. This was said in the presence of Bte. Alarie.

Bte. Alarie appeared on summons and, after having made oath, proved that he was not in Cahokia when the accident happened to Jean Racette.

[1] This may mean the Cantine, a stream near Cahokia.

vroit pas Etre Condanné a payer Cette Somme de trois Cent Livres, vue que led^it^ Racette quoi que Laccident soit arrivé ches Luy Est tout a fait Etranger Et que Dans pareille Cas il Devoit Depecher quelqu'un pour avoyer chercher un chirugien pour Soulage un pauva malheureux, Sans etre obligé D'en payer Les fraix.

La Court ne pouvant pas absolument Condanner Le Sieur Charle Gratiot a payer au Sieur reynal La Somme de trois Cent Livres pour l'imputation faitte a la Jambe de racette, a decidé quil Etoit necessaire D'attendre Larivé du nomé parisien a qui L'accident est arrivé.

une Requette présenté En Cour par pierre Roy Contre m^de^ Courville, pour quil luy Soit Defendu vendre auqu'un biens fonds, qu'aprés avoir fait faire invantaire, Et reconoitre La part De Son fils.

La Court othaurise Led^t^ Sieur pierre roy a faire un assemblé de parens et damis pour faire invantaire Des biens Delessé par feux Courville Et quil Sera fait un partage Egal Des biens, Entre ma^de^ veuve Courville Et son fils, Et quil sera Elu un tuteur.

La Court Est ajourné a vendredy 17^ie^ xbre.

f saucier Greffier f trottier

a une Court Du 17 xbre.

ou Etoit présent Messieurs Charle Gratiot Michel Beaulieu B^te^ Saucier pierre martin Et ant Girardin, tous Cinq Majestrat de Lad^tte^ Court — assemblé pour interoger Le peoria sur des mauvais Discourt quil dit avoir Entendu dire par d'autre nation.

Ledit peoria a dit quil avoit Entendu Le Chef du loup faire des reproche aux autre Sauvages a legar d'une medail Et un Collier rouge quils avoient, il a dit depuis quayant Eté a une

[1] One of the several attempts made by the British to arouse the Indians to drive the Virginians out of Illinois. In Dillon, *Annals of St. Louis*, 192, is an interesting letter from Gratrot to Montgomery giving further details about these events. This winter's work ended in the fruitless attack of the British and Indians on St. Louis and Cahokia in May. See pp. 58, n. 1, 589, and *Introduction*, *p.* lxxxvii.

[2] Medals of silver or bronze were frequently given to Indian chiefs as tokens of alliance.

[3] Term used by the Indians to designate the Virginians.

[4] The French is "*qu'en cas que.*"

The defendant offered as his defence, wherefore he should not be condemned to pay this sum of three hundred pounds, that the said Racette, although the accident happened at his house, was a total stranger to him, and that in such circumstances it was his duty to send somebody to seek a surgeon to relieve an unfortunate man without being obliged to pay the costs.

Since the Court cannot unconditionally condemn M. Charles Gratiot to pay M. Reynal the sum of three hundred pounds for the amputation of the leg of Racette, it decided that it was necessary to await the arrival of the named Parisien, to whom the accident happened.

A petition presented to the Court by Pierre Roy against Madame Courville, praying that she be forbidden to sell any land, until she has caused an inventory to be made and has recognized her son's share.

The Court authorizes the said M. Pierre Roy to hold an assembly of relatives and friends to make an inventory of the property left by the late Courville and decrees that an equal division of the property between the widow, Madame Courville, and her son be made, and that there be elected a guardian.

The Court adjourned to Friday, December 17.

F. Saucier, Clerk. F. Trottier.

At a Court, December 17:

Where were present MM. Charles Gratiot, Michel Beaulieu, Bte. Saucier, Pierre Martin and Ant. Girardin, all five magistrates of the said Court — assembled to interrogate the Peorian about the evil speech, which he said he had heard used by another nation.[1]

The said Peorian said that he had heard the Chief Wolf reproach the other savages in regard to a medal[2] and a red belt which they had. He said that later he was at the lodge of his savages with Charloc and that a woman asked him what he had come for, since the French Big Knife[3] was charged with having killed one of their people. Thereupon the said savage told Charloc to go home. This latter answered that in case[4] he was in danger the Master of Life would save him.

Loge de Ses Sauvages avec Charloc q'une femme luy dit quescequ'il venoit Chercher puisque Les francois Grand Coutau Etoit taxé D'avoir tué un De leur Gens. Ladessu Ledit sauvages Dit a Charloc de sen retourner, se dernier luy fit reponce quen qua quil y aye du denger que le maitre de la vie Le Sauveroit, Ledit sauvage pé a dit que le chef loup avoit pris Charloc Et l'avoit mis Dans le Camp des hommes que la un autre Chef nomé la puce ayant pris le fusil D'entre les mains dud^{t} charloc Luy dit pleure pour Jay le Coeur rouge Et enseglanté, led^{t} peoria a dit q'une femme luy avoit dit pourquoy Escequ'il venoit a Leur loge puisquil ne Se passoit rein de Bon parmi Eux, que tous les jour il se tenoit Des Conseil et quil ne disoit rien de bon, il dit de plus que quand la femme a Eu fini de luy parler, un Jeune homme Sest mis a la porte et que voyant Cela il s'est Sauvé et qu'a linstant tout les autre Sauvages se mirent a Crié En voila un qui se Sauve, En plusieurs fois differentes, led^{t} peoria a dit encore quand se Sauvant quil n'a eu que le tems de prendre Son fusil et a lessé Sa Couverte.

Le dit Charloc a dit quil a dit au dit peoria si il Vouloit Venir avec luy Voir les sauvages Et que le pé Luy repondit quil le vouloit bien il dit de plus quan allant voir ses dits sauvages quils ont rencontré un homme et une femme, que l'homme et pres de boisson quil la fait monter a cheval avec luy et que la femme a Continuer la route avec le pé ledit Charloc dit qu'etant arrivé il dit audit péoria de desseler son Cheval et D'entrer avec luy dans la Loge Sur quoy le pé luy repondit quil ne vouloit pas entré, Seci fut dit En présence du pé qui a dit pourquoy Veut tu que Jentre mois qui Entans mal parlé Dans cette loge, ledit Charloc dit qu'entrant Dans La loge il avoit une bouteille a sa main Voulurent luy prendre, et quil leur dit prené La je ne m'en Souci pas, le peoria dit quil luy ont arraché de force.

La Court Et ajourné a 2 heure apres midi 17 du present.

f saucier. Ch Gratiot.

The said Peorian savage said that the Chief Woif had taken Charloc and placed him in the men's camp and that there another chief named The Flee seized the gun from the hands of the said Charloc and said to him, "Weep, for my heart is red and bloody". The said Peorian said that a woman had asked him why he came to their lodge, since there was nothing good going on among them and that every day there were held councils and that nothing good was said. He said further that, when the woman had finished speaking to him, a young man started for the door and, upon seeing that, he had made his escape; and that immediately all the other savages began crying, "There is one who is escaping". On several different occasions, the Peorian said that in escaping he has had only time to take his gun and had left his blanket.

The said Charloc said that he asked the said Peorian if he wanted to come with him to see the savages, and that the Peorian answered that he was very willing. He further said that in going to see the said savages they met a man and a woman and that the man was intoxicated, and that he made him mount on the horse with him and the woman continued the route with the Peorian. The said Charloc said that on arriving he told the Peorian to unsaddle his horse and to enter the lodge with him, whereupon the Peorian answered that he did not wish to enter. This was said in the presence of the Peorian who said, "Why do you want me to enter who understand the evil talk in this lodge". The said Charloc said that when he entered the lodge, he had in his hand a bottle which the savages wished to take from him, and that he said to them, "Take it. I do not care for it". The Peorian said that they snatched it by force.

The Court adjourned until two o'clock in the afternoon the 17th of the present month.

F. Saucier. Ch. Gratiot.

a une Court 17 x^bre^ 1779.

m^r^ Gratiot m^r^ Martin
m^r^ Beaulieu m^r^ B^te^ Saucier
Président

suivant Les raport, Et Discourt qui ont Eté tenû En Cour. de la part Des Sauvages mal intentioné, La Court a ordonné que messieurs Les Commandant de millice Donnerons Des ordres pour quil soit fait une Visitte generalle Dans toute Les maison pour voir Si tout Le monde ont Des armes en Etat et la munition necessaire pour Se Defendre Si lon Si trouve obligé, Et quil Sera ordonné a Ceux qui n'en n'auront point De Sen pourvoir Sans auqu'un pretexe Vue que Suivant toute apparance il y a aux environ Du Village Des nations qui tiennent de mauvais propos et qui sont suivant le raport de quelque autre Sauvages trés mal intentionnes.

La Court Est ajourné a vendredy 24 x^bre^
f saucier greffier Ch Gratiot

a une Cour dû 19 Janvier. 1780.

Président M^r^ francois trottier. M^r^ B^te^ saucier
M^r^ antoine Girardin M^r^ Charle Gratiot
M^r^ pierre martin Présent.

Le Colonel mongonori ayant fait asemblé La Court pour Savoir pour quoy M^r^ henson navoit pas Eté reprimandé pour Le tor quil parroit avoir fait suivant le raport quil luy en a Eté fait par mons^r^. cap^t^ McCarty.

Le Colonel mongomori repente [*sic*] a la Cour que Comme Les autre village ont fourni beaucoup de provisions pour Les troupe au Credit des Etat quil Espere que Ce village cy suivant La Capacité Des habitant Voudront bien fournir quelque provision tel que L'on fait les habitant des autre villages.

La Court a représenté au Colonel quelle avoit Deja Eté informé des plainte porté contre Sieur henson, et quil ny avoit auq'une Chose qui le regardoit Dans Les plainte porté Contre luy et quil sestoit justifié pour le Contraire. La Court a Consenty quil

[1] Colonel Montgomery was at this time in command of the forces in Illinois and was stationed at Kaskaskia. See *Introduction*, pp. lxxvi., lxxx. *et seq.*

At a Court, December 17, 1779.

M. Gratiot. M. Martin.
M. Beaulieu. M. Bte. Saucier.

Present.

On account of the report and testimony which have been given in Court about the evil-intentioned savages, the Court decreed that the officers of the militia shall give orders that there be made a general inspection of all houses to see if everybody has arms in condition and the necessary ammunition for defence, if occasion arises, and that orders be given to those, who have neither, to provide themselves therewith without any excuse, because, to all appearances, there are in the neighborhood of the village nations who are holding hostile talks and are very evilly disposed, according to the report of some other savages.

The Court adjourned to Friday, December 24.

F. Saucier, Clerk. F. Trottier.

At a Court, January 19, 1780.

President, François Trottier Bte. Saucier.
Antoine Girardin. Charles Gratiot.
Pierre Martin. Present.

Colonel Montgomery[1] caused the Court to assemble in order to learn why Mr. Henson had not been reprimanded for the wrong which he appears to have done according to the report made to him by Captain McCarty.

Colonel Montgomery shows [?] the Court that, as the other villages have furnished supplies of provisions for the troops on the credit of the States, he hopes that this village according to the capacity of the inhabitants will be willing to furnish some provisions, as the inhabitants of the other villages have.

The Court showed the Colonel that it had already been informed of the complaint brought against M. Henson, and that there was nothing in the complaint which concerned him and that, on the contrary, he had justified himself. The Court agreed that a census shall be made and that those who can furnish some

sera fait une recaputulation Et que Ceux qui pourront fournir suivant Leurs Capacite quelque provisions soit farine ou maÿs seront forcé De Le faire.

fr saucier Greffier.

a une Court vendredy 4e fevrier 1780.

Président Mr trotier. Mr Martin

Mr Gratiot Mr Bte saucier.

Mr Girardin Présent.

Jn. Bte Lacroix Demendeur Bte saucier Defendeur

Le Demendeur poursuit Le Defendeur pour un billet de Cent quatrevingt une livres Dix sols En pelleterie quil Luy Doit payer En pelleterie ou farine.

Le Defendeur represente quil a proposé En Differante occasion Le payement dudt billet En pélleterie Et que le Demendeur La refusé.

Disant que le Defendeur Luy avoit promis Du blé, Le Defendeur Luy en avoit Effectivement promis toute fois quil ne puisse pas avoir de pelleterie a lecheance Dudt Billet.

La Court a ordonné que le Defendeur payeray Son Billet a la Demende Du Demendeur suivant Sa teneur.

aplication fait a la Cour par La Dame Veuve Jermain Demandant quil luy soit permis de Se Demettre De la Charge de Subrogé tuteur du mineurs Langdoc Dont feu Son marie.

autre aplication fait a la Court par la Dame Veuve pierre Godin disant que feu Son mari ayant Eté Charge de la charge de Subrogé tuteur de L'anfant mineur de feu Sieur Labé Elle Demande quil luy Soit permis de se Demettre de ladt Charge de Subrogé tuteur que tenoit feu Son mari.

La Court a ordonné qu'a la demende Des Dames Veuve jermain et pierre Godin qui [*sic*] Leur Serra permis de faire faire une assemblé de parant ou damis pour proceder a lelection De deux subroger tuteur qui prendra parfaite Connecence Des interest Des mineurs.

La Court Et ajourné a vendre 11 De fevrier.

f saucier Greffier.

[1] No troops were quartered on the Cahokians this winter, but the people of Kaskaskia complained to Montgomery that the other villages were not doing their fair share for the sup-

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provisions, either flour or corn, shall be forced to do so according to their capacity.[1]

F. Saucier, Clerk.

At a Court, Friday, February 4, 1780.

President, M. Trottier M. Martin
M. Gratiot. M. Bte. Saucier
M. Girardin. Present.

JEAN BTE. LACROIX, Plaintiff, *vs.* BTE SAUCIER, Defendant.

The plaintiff sues the defendant on a note of one hundred and eighty-one *livres* ten *sols* in peltries, which should be paid him in peltries or flour.

The defendant shows that he has proposed on several occasions the payment of the said note in peltries and that the plaintiff refused it, saying that the defendant had promised him wheat.

The defendant had in fact promised him wheat, yet only in case that he should not be able to obtain peltries at the maturity of the said note.

The Court decreed that the defendant should pay the note according to its terms on the demand of the plaintiff.

Application made to the Court by Madame Germain, widow, praying that she be permitted to withdraw from the office of surrogate guardian of the minor Langdoc, which her late husband held.

Another application made to the Court by Madame Pierre Godin, widow, saying that her late husband had been intrusted with the office of surrogate guardian of the minor child of the late M. Labbé and praying that she be permitted to withdraw from the said office, which her late husband held.

The Court decreed that in accordance with the prayers of Mesdames Germain and Pierre Godin, widows, it shall be permitted them to summon an assembly of relatives and friends to proceed to the election of two surrogate guardians, who shall inform themselves perfectly of the interests of the minors.

The Court adjourned to Friday, February, 11.

F. Saucier.

port of the troops. For that reason Montgomery made this demand upon the Cahokians. —*Introduction* p. lxxxii. and *post*, p. 545.

a une Court du 18, fevrier 1780.

President M^r^ trotier — M^r^ martin

M^r^ Gratiot — M^r^ B^te^ saucier

M^r^ Girardin — Present.

J^n^ B^te^ Lacroix, Demendeur. M^r^ Levy, Defendeur.

Le demendeur poursuit Le Defendeur pour Deux tombré de maÿs quil a acheter a l'ancan de feu Lapierr, pour Le Compte de leur Société.

Le Defendeur raporte quayant acheter Ses Deux tombré de maÿs, En Societé avec le Demendeur a L'ancan de feu S^r^ Lapierre. ayant Eté fait par M^r^. trotier.

Le Demendeur Et Le Defendeur poursuive Mons^r^. trotier pour quil Leur Soit fourni une Sertaine quantité de maÿs a eux adjugé aud^t^ ancan, que leur manque Sur Les deux ditte tombré.

M^r^ trotier raporte que Le Demendeur ou Le Defendeur auroit du faire prendre Le maÿs quil Leur a Eté adjugé aud^t^ ancan, et non pas L'avoir Lessé trois ou quatre mois Dans un Grenier a La discretion des rats Et que Depuis Ce tems il pouroit bien En avoir mangé Se qui s'en manque.

La Court ayant trouvé que messieurs Lacroix Et Levy, ayant manqué tres Ecentiellemant De n'avoir pas fait enlever Le maÿs quils avoit acheter aud^t^ ancan, quil Est probable que ne Layant Lesser Sous Les Soin de personne Et De L'avoir Lesser un Espace De tems aussi Considerable que Les rats ne leurs ayent Causé tout le Domage Dont il se plagent.

Ch^r^ Ducharme Demendeur pierre Roy Defendeur

Le Demendeur poursuit Le Defendeur pour une tombré De maÿs quil Luy a Eté adjugé a L'ancan de feu allexis Courville Et quil ne luy a point Ete Livré ni Si Etant point trouvé.

Le Defendeur Raporte quil a Eté Dit Lors de L'ancan quen ca que La quantité de maÿs Crié aud^it^ ancan ne Se trouva point que Celuy a qui il En Seroit adjugé ne Seroit tenu a payé qu'en qua que la quantité Estimé si trouve.

La Court ayant trouvé que Le Demendeur a trop tardé a faire Enlever Le maÿs que personne n'est Dans Le Cas de La Luy

[1] The *tombré* was a two-wheeled wooden cart, made without iron, in common use among the French.

At a Court, February 18, 1780.

President, M. Trottier. M. Martin.
M. Gratiot. M. Saucier.
M. Girardin. Present.

JEAN BTE. LACROIX, Plaintiff, *vs.* M. LEVY, Defendant.

The plaintiff sues the defendant for two cart-loads[1] of corn, which he bought on the account of their partnership at the auction of the goods of the late Lapierre.

The defendant states that he, in partnership with the plaintiff, bought the two loads of corn at the auction of the goods of the late Lapierre, which was held by M. Trottier.

The plaintiff and defendant sue M. Trottier that there be furnished them a certain quantity of corn, which was lacking in two cart-loads knocked down to them at the said auction.

M. Trottier reports that the plaintiff or the defendant should have had the corn, which was adjudged them at the said auction, removed and should not have left it three or four months in the granery to the discretion of the rats, and that during that time there could easily have been eaten what is lacking.

The Court found that MM. Lacroix and Levy were very negligent in not having the corn, which they bought at the said auction, carted away; and that, since they had not left it under the care of anyone and had left it for so considerable a length of time, the rats had caused all the damage of which they complain.

CHARLES DUCHARME, Plaintiff, *vs.* PIERRE ROY, Defendant.

The plaintiff sues the defendant for a cart-load of corn which had been knocked down to him at the auction of the goods of the late Alexis Courville and which was not delivered to him, since it could not be found.

The defendant reports that, at the time of the auction, it was said that in case the quantity of corn cried out at the said auction was not found, he, to whom it should be adjudged, would be held to pay only in case that the estimated quantity should be found there.

The Court found that the plaintiff delayed too long in having the corn carted away, and that no one is bound to furnish it to him, since he left it in the care of nobody; and furthermore that it

fournir ne Layant Lessé sous La Garde de personne Et qu'en outre il a Eté Dit a L'ancan publiquement que Ceux qui acheteroit du maÿs il ne Luy Seroit livré que D'autant quil Si trouveroit Vu que les Estimateur auroit pu Se tromper Dans Lestimation.

aplication faite En Court par J^n^. B^te^ H^br^ Lacroix qui Demande La vente de quelques Effest appartenant au S^r^ Sills quil a Entre Ses main pour une Somme De quatrevingt trois livres que led^t^ Sieur Luy Doit suivant L'etat qu'il En a produit En Court.

La Court ayant observé que le S^r^ Sills etant parti dici pour le Service Des Etat, que led^t^ Sieur Lacroix Est Condanné a atendre Vue que ledit Sieur Sills peut revenir au premier Jour.

La Court a Condanné tout Les perdant de cette Court a payé tous Les fraix de Justice.

La Court Est ajourné a Vendredy 17^ie^ mars 1780.

f saucier, Greffier. f trottier.

a une Court Vendredy 17 mars 1780.

Président Monsieur trotier M^r^ Beaulieu

M^r^ Girardin M^r^ B^te^ saucier

Present.

M^r^ Decostle Demendeur ant Lusser Defendeur

Le Demendeur poursuit Le Defendeur pour un Compte montant a La Somme de deux Cent Soixante et dixneuf Livre En pelleteri.

Le Defendeur produit un billet de Vingt six Livres En pelleterie passé a Son ordre par le Demendeur qui Declare quaprés avoir reglé tout Leur Compte il Luy auroit Consenti Se billet pour reglement de tout Compte Le Defendeur produit Le même Compte qui Declare avoir Deja reglé avec le Defendeur montant a la Somme de Six Cent Cinquante huit Livres quinze Sols.

Le Demendeur Est Condanné a payer au Defendeur Le billet quil Luy a Consenti de vingt Six Livres En pelleterie et que tant qu'a Leur Compte il paroit par led^t^ billet quils ont Eté reglé Et que le demendeur Luy redevoit Sette Somme Et a payé Les fraix.

antoine Lusser, Demendeur. Louigau, Defendeur.

Le Demendeur poursuit Le Defendeur pour Lavoir taxé Davoir pris ches luy une p^r^. Dattel.

[1] The clerk has made a slip here and so mixed his plaintiffs and defendants that the passage is difficult to interpret.

was publicly said at the auction that, to those, who bought corn, there would be delivered only as much as there was, seeing that the appraiser might have made a mistake in the estimate.

An application made to the court by Jean Bte. Hubert LaCroix who requests the sale of some effects belonging to M. Sills, which he has in his possession, to pay the sum of eighty-three *livres*, which the said gentleman owes him according to a statement, which he has produced in Court.

The Court, having considered that the said M. Sills has gone away on the service of the State, condemned the said M. LaCroix to wait, seeing that the said M. Sills will return on the first possible day.

The Court condemned all those losing in this session to pay all costs of justice.

The Court adjourned to Friday, March 17, 1780.

F. Saucier, Clerk F. Trottier.

At a Court, Friday, March 17, 1780.

President, M. Trottier. M. Beaulieu.

M. Girardin. M. Bte. Saucier.

Present.

M. Decostle, Plaintiff, *vs.* Ant. Lussier, Defendant.

The plaintiff sues the defendant for an account amounting to the sum of two hundred and seventy-nine *livres* in peltries.

The defendant produces a note of twenty-six *livres* in peltries, made to his order by the plaintiff, which declares that, after having squared up their account, he had given this note in final settlement. The defendant produces the same account, which declares that he had already settled with the defendant [plaintiff?][1] to the sum of six hundred and fifty-eight *livres* fifteen *sols*.

The plaintiff is condemned to pay the defendant the note for twenty-six *livres* in peltries which he has given him; and as to their account, it appears from the said note to have been squared up and that the plaintiff still owes this sum; and he is condemned to pay the costs.

Antoine Lussier, Plaintiff, *vs.* Louigaud, Defendant.

The plaintiff sues the defendant for having accused him of having taken a pair of hames from his house.

Le Defendeur dit navoir Jamais Dit que le Demendeur Luy avoit volé Cette p Dattelle Et qu'on Luy avoit Dit Seulement quon avoit Vue une p^{r} a peu pres pareil ches le Demendeur.

La Court a renvoyé Le present Comme ne pouvant faire auqu'ne Decision Sur Cette affaire Et a Condanné Le Demendeur a payer Les fraix.

La Court Est ajourné a vendredy 7^{e} Dávril.

f trottier. f saucier greffier.

a une Court du 7^{ie} D'avril 1780.

Présidant Capt. trotier antoine Girardin
Michel Beaulieu B^{te} Saucier.
Présent.

a La demende Des CReensié de feu Milhomme La Court a désidé qu'une Encans Des biens Dellessé par Led^{t} feu Milhomme Sera fait Dimanche prochain 9^{ie} Du Présent mois pour Satisfaire a Ses Deptes Et Si plus il y a il Sera partagé a Ses Enfans.

Par ordre f trottier. fr saucier.

A une Cour du 21 D'avril. 1780.

Président Capt. trottier pierre Martin
Michel Beaulieu Bap^{te} Saucier
antoine Girardin Présént.

Représentation fait a La Cour par joseph lepage a Legar du negre du Mon^{r} trotier pour une insulte faite par Luy a La garde Demandant que Le dit negre Soit puni Comme il Le meritte ayant tres mal parlé Et ayant menacé de Ce revenger Contre Ceux qui entreprendroit de Sen saisir.

aprés avoir Examiné Les plaintes porté Contre Ledit negre La Cour a Decidé que M^{r} trotier fera Donner a Son negre vingt Cinq Coupt de fouët, pour La Premire faute quil a Comis Et plus a lavenir Si il retombe Dans le même cas.

La Cour est ajourné auVendredy 5^{ie} may.

f trottier f saucier Greffier.

The defendant says that he never said that the plaintiff had stolen this pair of hames, but that he had been told that a pair very similar to his had been seen at the house of the plaintiff.

The Court dismissed the present suit, since it is impossible to reach any decision in this case, and condemned the plaintiff to pay the costs.

The Court adjourned to Friday, April 7.

F. Trottier. F. Saucier, Clerk.

At a Court, April 7, 1780.

President, Capt. Trottier. Antoine Girardin.
Michel Beaulieu. Bte. Saucier.

Present.

On the demand of the creditors of the late Milhomme the Court decided that an auction of the goods left by the said late Milhomme shall be held next Sunday, the 9th of the present month, in order to pay his debts; and if there is a surplus, it shall be divided among his children.

By order, F. Trottier. F. Saucier.

At a Court, April 21, 1780.

President, Capt. Trottier. Pierre Martin.
Michel Beaulieu. Bte. Saucier.
Antoine Girardin. Present.

A representation made to the Court by Joseph Lepage in regard to a negro belonging to M. Trottier on account of an insult made by him to the guard, and he demands that the said negro be punished as he deserves, since he used very bad language and threatened to revenge himself on those who should undertake to seize him.

After having examined the complaints brought against the said negro, the Court decided that M. Trottier shall have the negro given twenty-five strokes with the whip for the first offence he has committed, and more in the future, if he does it again.

The Court adjourned to Friday, May 5.

F. Trottier. F. Saucier, Clerk.

Vendredy 5ie may 1780.

Présidant Capt. trotier pierre Martin
ant. Girardin Bte saucier.
Prêsent.

Gabriel Constant Demendeur. Janot Lapance Defendeur

Le demendeur poursuit Le Defendeur pour un Soc quil Luy doit.

Le Defendeur repond quil Devoit Donner un Soc ou trente Livres en pelleterie au Demendeur. Et quen outre il Devoit payer a Mr trotier Les trente Livres Layant trensporté [*sic*] pour Ce quil devoit a L'ancan de feu Lapierre Ce que le Defendeur a fait Sur quoy Monr trotier Luy a dit que cela ne pressoit pas Et quil L'acceptoit pour Cette Somme.

Le Deffendeur a prété Serment quil Etoit Convenu De payer au demendeur Dix Ecu En pelleterie ou un Soc ne pouvant Donner un Soc il Est Condanner a payer Les Dix Ecu Comptant. Et Le Demendeur a payer Les frais.

application fait par Sieur ant armant Demandant quil Soit fait un [*word illegible*] ancan Des Biens de feu Vadboncoeur Et Elir un tuteur au mineurs Et Sexposant a ce que Le Gendre dudt Deffucnt Le Soyent disant que Le Deffucnt Vadboncour La prier de Sinteresser a Se Sujet.

La Cour a Demander audt Sr armant quelque Ecrit, ou quelque autre preuve Comme quoy il est Chargé de faire Executer Les Derniere Volonté de feu vadboncoeur.

françois alexandre ayant paru et preté Serment Sur Ce quil a Entendu Dire par feu Vadboncoeur a Mr Girardin et a dit que quelque tems avant Le dessay de Son beau pere il La Envoyé Cherché Mr Girardin Et quil Luy a dit a luy parlant quil Le prioit de vouloir Bien prendre Les interest de Ses Enfans Le Chargant dagir En Consequence pour quil ne leur Soit fait au qu'un tort Ce que Mr Girardin a dit avoir promis de faire.

La Cour a dessidé quil Seroit nomé un tuteur Et Subroger

[1] The small piece of iron attached to the plow.

[2] The meaning is not clear.

[3] The *ecu* was equal to three *livres*, or sixty cents.

Friday, May 5, 1780.

President, Capt. Trottier. Pierre Martin.
Ant. Girardin. Bte. Saucier.

Present.

Gabriel Constant, Plaintiff *vs.* Janot Lapancé, Defendant.

The plaintiff sues the defendant for a plowshare[1] which he owes him.

The defendant answers that he ought to give a plowshare or thirty *livres* in peltries to the plaintiff; and besides he was to pay the thirty *livres* to M. Trottier, since the plaintiff had assigned it for what he owed at the auction of the goods of the late Lapierre. This the defendant had done, but M. Trottier had said to him that there was no hurry and had accepted the assignment for that sum.[2]

The defendant made oath that he had agreed to pay the plaintiff ten *ecus*[3] in peltries or a plowshare, and not being able to give the plowshare he is condemned to pay the ten *ecus* in cash. The plaintiff is condemned to pay the costs.

An application made by M. Ant. Harmand, asking that an . . [*word illegible*] . . auction of the goods of the late Vadeboncoeur be held and an election of a guardian for the minors be made, recommending that the son-in-law of the deceased be guardian, and saying that the deceased Vadeboncoeur had begged him to interest himself in the subject.

The Court demanded of the said M. Harmand some writing or other proof that he was intrusted with the execution of the last will of the late Vadeboncoeur.

François Alexandre appeared and made oath in regard to what he heard said by the late Vadeboncoeur to M. Girardin. He said that some time before the decease of his father-in-law, the latter sent him to bring M. Girardin, and that in the course of their conversation the late Vadeboncoeur begged M. Girardin to consent to look after the interests of his children, charging him to act so that no wrong should be done them. This M. Girardin had promised to do.

The Court decided that there be named a guardian and a surrogate guardian by plurality vote; and there has been named

tuteur a la pluralité Des voix Et a Eté nomé francois alexandre tuteur Et antoine Girardin Subroger tuteur. et quil Sera fait un invantaire De tous les Biens Et un ancan apprés Si il est a propôs de le faire.

Demendeur Louis Pillet Defendeur B^te^ saucier

Le Demendeur poursuit Le defendeur pour quil Luy Soit remboursé par Le deffendeur six minot de blé Suivant Lestimation qui En a Eté fait Comme ayant Eté mangé par Les pourçeau qui ont Passé par Sa Clauture. Le deffendeur repond que Lorsque Les pourçueau [*sic*] ont passé Dans les grins quil navoit pas Encore acheter de Mons^r^ S^t^. Pierre et que Le tort a Eté fait avant quil Laye acheter.

La Cour a renvoyé Le présent procet a Vendredy 26^e^ Du présent mois pour que Les deux partis aye a produire Leur preuve

La Cour Est ajourné a Vendredy 26^e^ may 1780.

f trottier fr. saucier Greffier.

Vendredy. 9 Juin 1780.

President Capt. trotier. pierre martin.

M^rs^. Cha. Gratiot. B^te^ Saucier.

Michel Beaulieu Présent.

J^n^ B^te^ Mercié ayant produit en Court une requette Contre Le nomé George King. pour un Capot Et une paire de boucle dargent que ledit King Luy a volé. et demande qu'ne Carabine a présent entre Les mains de Mons^r^ f. trotier Comm^dt^ au d^t^ Lieu Soit Vendu, pour Satisfaire au volé qui luy a eté fait.

La Cour a ordonné que la ditte Carabine Soit vendu en public pour payer a M^r^ Mercié Se dont il luy a Eté prie par led^t^ Geo. King Et Si plus il y a il Sera Deposé Entre les mains du cherif Jusqu'a Nouvelle ordre.

Louis Pillet Demendeur B^te^ Saucier Defendeur

Le demendeur et Le defendeur ayant produit Leur preuve réciproque.

La Cour a ordonné que Le defendeur rendroit au demendeur La quantité de Blé, Suivant Lestimation faite.

[1] The *minot* contained three bushels.

[2] Many suits were caused by animals breaking through the fence of the common field. This was the cultivated land, laid out in narrow strips which were owned by individuals.

François Alexandre as guardian and Antoine Girardin as surrogate guardian. It has been ordered that an inventory of all the goods be made and an auction afterwards, if it is expedient to hold it.

Louis Pillet, Plaintiff, *vs.* Bte. Saucier, Defendant.

The plaintiff sues the defendant that he may be reimbursed by the defendant six *minots*[1] of wheat, which, according to estimate, is the amount eaten by the pigs, which passed through his fence.[2] The defendant answers that, at the time the pigs passed into the grain, he had not yet bought the land from M. St. Pierre, and that the wrong was done before he bought it.

The Court continued the present suit till Friday, the 26th of the present month, in order that the two parties have time to produce their proofs.

The Court adjourned to Friday, May 26, 1780

F. Trottier. Fr. Saucier, Clerk.

Friday, June 9, 1780

President, Capt. Trottier.	Pierre Martin.
Charles Gratiot.	Bte. Saucier.
Michel Beaulieu.	Present.

Jean Bte. Mercier brought into Court a petition against the named George King for a coat and a pair of silver buckles, which the said King stole, and prays that a rifle at present in the hands of M. Trottier, commandant of the post, be sold to indemnify him for the theft, which has been made from him.

The Court decreed that the rifle be sold publicly in order to pay M. Mercier for that which had been taken from him by the said Geo. King; and if there be a surplus, it shall be deposited in the hands of the sheriff until further orders.

Louis Pillet, Plaintiff, *vs.* Bte Saucier, Defendant.

The plaintiff and defendant produced their proofs severally.

The Court decreed that the defendant render to the plaintiff the quantity of wheat according to the estimate made.

The whole field was protected by a fence built by the community, each proprietor being responsible for that part of the fence on his land. A gate near the village gave access to the field. Damages for the injury to crops could be collected from the person through whose fence stray animals passed.—Reynolds, *Pioneer History*, 31 and 48.

La Cour Etant assemblé pour prendre Les arengement Les plus convenable pour Les affaires de feu Sieur Bellau.

Elle a decidé quil Sera fait un exament Exacte de tout Ses papier afin de prendre Le plus quil Sera possible Connoissance de Ses affaires, Et ensuitte nomera un Sindic pour Gerer toute Ses affaires Suivant Comme il Sera ordonné par la Cour.

La Court Et ajourné a 2 heure aprés midy 9. Du présent.
f saucier Greffier. f trottier.

9. juin 1780. 2 heure apres Midy.
Président Capt. trotier. Pierre Martin.
M^rs^ Ch. Gratiot. B^te^ Saucier.
Présent.

Louis Louigau Demandeur James finne Defendeur

Le Demendeur pour Suit Le defendeur pour Le payement d'un Cheval quil Luy a tué a force de Courir dans La prairie du pon Suivant La requette quil En a présenté En Cour.

Le defendeur dit que C'est par L'ordre du Colonel Montgomery quil a pris le cheval pour en atrapper d'autre, pour le besoin de l'etat.

Thomas Brady ayant preté Serment Sur Le S^t^ Evangile de Dieu, tout puissant de repondre au question qu'on Luy feroit et a dit quil Etoit témoin Lorsque Mons^r^ James finne a pris le cheval de Louis gau et quils ont Eté Ensemble Dans La prairie du pon, mais que James finne na point Couru Le dit Cheval, et quaprés avoir atrapé une jumen á eux apartenant quil auroit Laché Le cheval, qui Sest Ensuitte Battu avec un autre un Sertain tems et quaprés cela Voyant que Le cheval avoit beaucoup Sué quelqu'n Luy dire quil falloit Seigner Led^t^ cheval Se qui fit Sur Le Champ et que neanmoins il mourut peu De tems appres.

La Cour d'une voix unanime a Condanner m^r^ James finne pour S'etre Saisi dud^t^ cheval Sans auqu'ne ordre a payé au Sieur Louigau Son cheval suivant Sa Valeur.

pierre Gagnon a eté nomé par la Cour Sindic pour prendre Connoissance des affaires de feu Michel Bellau, et Ensuitte

[1] Prairie du Pont was a hamlet with commons and common field, about a mile south of Cahokia. See map at end of this volume, also note 1, p. 88.

The Court assembled to take the most expedient measures for the affairs of the late M. Bellau.

It decided that there shall be made an exact examination of all his papers in order to obtain the best possible information of his affairs, and that afterwards there shall be named a syndic to conduct all his affairs as he shall be ordered by the Court.

The Court adjourned till 2 o'clock in the afternoon, the 9th of the present month.

June 9, 1780, at 2 o'clock in the afternoon.

President, Capt. Trottier. Pierre Martin.
Ch. Gratiot. Bte Saucier.

Present.

Louis Louigaud, Plaintiff, *vs.* James Finney, Defendant.

The plaintiff sues the defendant for the payment of a horse, which he killed by running it in the Prairie du Pont,[1] according to the petition which he has presented in Court.

The defendent says that he took the horse by order of Colonel Montgomery in order to catch another for the need of the state.

Thomas Brady having made oath on the Holy Gospels of Almighty God to answer the question which was put to him, said that he was a witness, when M. James Finney took Louigaud's horse, and that they were together in the Prairie du Pont, but that James Finney did not run the said horse; and that after catching a mare belonging to them, he let the horse loose and that then it fought with another horse for a certain time; and that, after noticing that the horse was very sweaty, somebody told him that he ought to bleed the said horse, which he immediately did; that nevertheless it died shortly afterwards.

The Court unanimously condemned M. James Finney, for having taken the said horse without any order, to pay M. Louigaud the value of his horse.

Pierre Gagnon has been named by the Court syndic to inform himself of the affairs of the late Michel Bellau, and to administer them afterwards in a manner, which he shall believe

Gerer de la maniere quil Croira Etre Le plus Convenable etant authorisé par la d^tte^ Cour D'agir a ce Sujet.

saucier Greffier.

a une Court 19 Juin 1780.

Président. Cap^t^. trotier — ant. Girardin
Messieurs Ch. Gratiot — Pierre Martin
Michel Beaulieu — B^te^ Saucier.

Présent.

La Court Etant assemblé pour prendre Le Serment de fidelité ainsi que Celuy doffice, Des Sieur Joseph Lepage J^n^. B^te^ Lacroix Clement Langlois ch. Ducharme francois Courié philipe Jervais antoine armant, Comme ayant Eté nomé par une assemblé public Dimanche Dernier 18 du Courant, dans La Maison de M^r^ fr. trotier Cap^te^ Commandant La Milice Des Cahokias, pour prendre Leurs place Comme En qualité de Juge de paix &c.

Les Suivant Juges Mentioné en L'autre Part par La Derniere Election faite, ont prie Le Serment de fidelité aux Etats, ainsi que Celuy de Juge de paix &c, Selon leurs liste a lexeption de Joseph Lepage absant.

La Cour a ordonné que fr. Saucier Soit appointé clark de la Cour.

Francois Saucier a pris Serment de fidelité Et doffice Et a pris Sa place en qualité de clark.

Nicolas Chabaut a pris Serment de fidelité ainsi que Celuy d'office et a pris Sa place En qualité de Baillif de la Cour.

Jean B^te^ Hubert Lacroix a remis a la Cour Sa Comission de Cherif.

President Ch. Ducharme — francois Courrié.
ant. armant. — J^n^ B^te^ Lacroix.
philipe Gervais. — Clement Langlois

Présent

Ch Gratiot ayant produit En Cour un Compte due par La Succession de feu ferant Montant a la Somme de Cinq Soixante et huit Livres Seize Sols.

Mon^r^ trotier a produit un Sertificat de B^te^ Lamarche par Lequel il prove que feu ferrand luy Doit quarante Sept Livres

most expedient, being authorized by the said Court to act in this matter.

Saucier, Clerk.

At a Court June 19, 1780.

President, Capt. Trottier.	Ant. Girardin.
Ch. Gratiot.	Pierre Martin.
Michel Beaulieu.	Bte. Saucier.

Present.

The Court assembled to receive the oath of fidelity and that of office from MM. Joseph Lepage, Jean Bte. LaCroix, Clement Langlois, Ch. DuCharme, François Courier, Philippe Gervais, and Antoine Harmand, who have been elected by a public assembly, held last Sunday, the 18th of the present month, in the house of M. Fr. Trottier, captain commanding the militia of Cahokia, in order that they may take their places as justices of the peace etc.

The following justices, mentioned in the other part as elected in the last election, have taken oath of fidelity to the States and that of justices of the peace etc. according to the list, with the exception of Joseph Lepage absent.

The Court has ordered that Fr. Saucier be appointed clerk of the Court.

François Saucier took the oath of fidelity and that of office and took his place as clerk.

Nicolas Chabot took the oath of fidelity and that of office and took his place as bailiff of the Court.

Jean Bte. Hubert LaCroix presented to the Court his commission as sheriff.

President, Ch. DuCharme.	François Courier.
Ant. Harmand.	Jean Bte. LaCroix.
Philippe Gervais.	Clement Langlois.

Present.

Ch. Gratiot produced in Court an account due by the heirs of the late Ferrant amounting to the sum of five hundred and sixty-eight *livres* and sixteen *sols*.

M. Trottier produced a certificate of Bte. Lamarche by which he proves that the late Ferrant owed him forty-seven *livres* ten *sols*,

Dix quil Luy a preté Ce qui fait Ensemble La Somme de Six Cent Seize Livre Dix Sols Le montant Des effest de feu ferand Montant a la Somme de Cinq Cent Vingt neuf Livre Cinq.

La Cour a ordonné que Le S[r] charle Gratiot payeroit a Même Le produit de La vente Des Dits Effest La Somme de deux Cent quatrevingt onze Livres Seize Sols pour Depte privilégié Suivant Les Compte a luy présenté Et Le reste Des Deptes Seront tiré au mar La Livre.

Charle Gratiot a produit En Cour un Compte Courant Entre luy et feu Michel Bellau de la Somme de Six Cent huit Livres dix Sols Sur Lequel il Luy est due deux Cent Cinquante Six Livres quatorze Sols par La Balance et Demende a La Cour que Cette Somme Luy Soit payé par Le Sindic qui a eté nomé par La Cour pour regler Les affaires du Dit feu Bellau.

Charles Gratiot produit encore un Compte En Cour Contre Le Sieur Durant montant a la Somme de cinquante Livres dix Sols demandant pareillement quil Luy Soit payé Egallement Comme L'autre.

approuvé par La Cour Les Compte présenté par M[r] Ch. Gratiot.

La Cour Est Convenu que Les billet Due a S[r] Durant Serviront a payer Jusqu'a La Conqurance Des Deptes faite par Michel Bellau ayant acheter Divers Effest ici Des quels il Sest Servi pour payer Les Deptes de M[r] Durant. et quaqu'un Compte ne Sera payer Sans Etre aprouvé De la Cour.

La Cour Est ajourné a Jeudi 29 juin 1780.

fr saucier Greffier DuCharme presidans

a un Cour 29 juin 1780

Président Charle DuCharme	Joseph Lepage
antoine armant	Clement Langlois
francois Courrié	philipe Jervais

Present

Joseph Lepage ayant pris Sa place du Magistrat, et a preté Serment de fidelité ainsi que Celuy d'ofice.

[1] A general expression for the payment of a proportional part of one's debts, without any indication of the exact percentage.

which he had lent him, which makes altogether the sum of six hundred and sixteen *livres* ten *sols*, the value of the effects of the late Ferrant amounting to the sum of five hundred and twenty-nine *livres* and five *sols*.

The Court decreed that M. Charles Gratiot should pay directly from the proceeds of the sale of the said effects the sum of two hundred and ninety-one *livres* sixteen *sols* for the debt entitled to preference according to the account presented to him, and the remaining debts shall be drawn at the rate of a mark in the pound.[1]

Charles Gratiot produced in Court a current account between him and the late Michel Bellau amounting to the sum of six hundred and eight *livres* and ten *sols*, on which there is due him two hundred and fifty-six *livres* fourteen *sols* as a balance and prays the Court that this sum be paid him by the syndic, who has been named by the Court to settle the affairs of the said late Bellau.

Charles Gratiot produced also in Court an account against M. Durand amounting to the sum of fifty *livres* ten *sols* and prays likewise that it be paid as well as the other.

The accounts presented by M. Ch. Gratiot were approved by the Court.

The Court agreed that the notes due to M. Durand shall serve for payment up to the amount of the debts made by Michel Bellau, since the latter bought various goods here, which he used to pay the debts of M. Durand; and that no account shall be paid without being approved by the Court.

The Court adjourned to Thursday, June 29, 1780.

F. Saucier, Clerk. DuCharme, President.

At a Court, June 29, 1780.

President, Charles Ducharme. Joseph Lepage.
Antoine Harmand. Clement Langlois.
François Courier. Philippe Gervais.

Present.

Joseph Lepage took his place as magistrate and took the oath of fidelity and that of office.

M. Sanguinette, merchant of St. Louis, produced in Court a

M^r. Sanguinette Nego^t a S^t Louis a produit en Cour un Etat de pelleterie preté a M^r Durant demant [*sic*] que La Même quantité des d^tte pelleterie Luy Soit rendu Suivant Leurs Convention.

Et a produit Encore une reconnoissance du Sieur Durant pour Le voyage d'un homme a Michelimaquina quil luy a fourni et un chodiére quil Luy a preté.

M^r. Sanguinette demande a la Cour de condanner M^r Durant, a Luy payer interest des pelleterie preté Comme Le tens de la luy rendre etant echû, ainsi que pour l'homme quil Luy a fourni pour Le Voyage de Michilimaquina.

La Cour a acordé a M^r. Sanguinette que M^r Durant payera interest Des pelleterie quil luy prété, ainsi que pour L'homme quil Luy a fourni Comme ayant Besoin de Ses objest présentement, et que l'interest Sera payable de Ce Jour.

Le Sieur Isaac Levy a présenté a la Cour un mandat, tiré Sur M^r Cerré, par J'on Conn de trente piastre gourde que M^r Cerré refuse de payé Et Ce mêm manda Luy a Eté remis par Joseph Lapensé En payment D'un Cheval quil Luy a Vendu.

Joseph Lapancé ayant parru a dit quil avoit vendu un Cheval a Jonn Conn pour La Somme de trente piastre Gourde par un Mandat tiré Sur M^r Cerré.

La Cour a Condanné Le Sieur Jonn Conn a payé le billet quil a consenti de trente piastre Gourde et a payer Les fraise Et a pareillement Condanné Joseph Lapancé a payer a M^r Levy pareille Smmoe Sauve a prendre tel a rangement quil voudront Entre Eux.

La Cour Est ajourné a jeudi 6. de juillet.

f saucier Clark DuCharme presidans

a une Cour jeudi 6. de juillet. 1780.

Présidant. Ch^le Ducharme	Joseph lepage
ant. arment	Clement Langlois
fran. Courrié	philipe jervais
	présent

FR. MARTIN Demendeur Jo^h ALARY Defendeur

Le demendeur poursuit Le defendeur Suivant Sa requette pour

[1] For notice of Cerré, see *Introduction*, p. xx., note 2.

[2] The *piastre* was a Spanish coin equal in value to our dollar. The word *gourde*, which appears always in the above combination, seems to add nothing to the idea, for *piastre* and

statement of peltries loaned M. Durand and prays that the same quantity of peltries be returned to him according to their agreement.

And he also produced an acknowledgement by M. Durand for the journey of a man, whom he furnished, to Michillimackinac, and for a copper kettle, which he lent him.

M. Sanguinette prays the Court to condemn M. Durand to pay him interest on the loan of the peltries, since the time for returning them has expired, and also for the wages of the man, whom he furnished for the journey to Michillimackinac.

The Court granted M. Sanguinette that M. Durand shall pay interest on the peltries, which he loaned him, and also on the wages of the man whom he furnished, since he has need of his property now, and that the interest shall be payable from this day.

M. Isaac Levy presented to the Court a draft drawn on M. Cerré[1] by John Conn for thirty *piastres gourdes*,[2] which M. Cerré refuses to pay; and this same draft was given him by Joseph Lapancé in payment for a horse, which he sold him.

Joseph Lapancé having appeared said that he had sold a horse to John Conn for the sum of thirty *piastres gourdes* paid by a draft drawn on M. Cerré.

The Court condemned M. John Conn to pay the note for thirty *piastres gourdes*, which he drew, and to pay the costs; and likewise condemned Joseph Lapancé to pay M. Levy the same sum, subject to making such arrangements between themselves as they wished.

The Court adjourned to Thursday, July 6.

F. Saucier, Clerk. DuCharme, President.

At a Court, July 6, 1780.

President, Ch. DuCharme. Joseph Lepage.
Ant. Harmand. Clement Langlois.
Fran. Courier Philippe Gervais.

Present.

FR. MARTIN, Plaintiff, *vs.* JOS. ALARIE, Defendant.

The plaintiff sues the defendant according to his petition for a rifle, which he left at the house of the widow Germain as security

piastre gourde are used synonymously. It is possible, however, that the word *gourde* is used to distinguish between the metal *piastre* and the paper.

une Carabine quil avoit Lessé Ches Madame Veuve Germain En depusit [?] pour une quantité de farine quil Luy devoit et que Ledit defendeur a fait Saisir En Son absence Laditte Carabine Et Sen est Servie Jusqua Son retour.

Le deffendeur a produit des Billet pour La La [*sic*] Somme de trois Cent quatrevingt treize Livres En pelleterie qui Luy Sont due par Le demendeur Et Echue.

Le demendeur offre a payer Ses Billet Et que Le deffendeur Soit Condanner a Luy payer sa Caribine Cent piastre Comme Elle a coute.

La Cour a decider que La Caribine du demendeur Sera Estimé par trois personne Conoissante Et que Le deffendeur Seroit Condanner a prendre Laditte Carabine au prix de Lestimation a deduire Sur Les Billet quil Luy Sont due par Le demendeur Et a payer Les fraix de Justice pour Setre Servie de Laditte Carabine. Sauve au demendeur a la reprendre Si il Le Veut et a payer Ses Billet.

MICHEL DUBOIS Demendeur FR. MARTIN Defendeur

Le demendeur poursuit Le defendeur suivant Sa requette pour quil Luy Soit fait reparation dhonneur pour Lavoir treté d'un Coquin et que Setant vue trété de La Sorte il a pris Le parti de Le Lesser quoique Son Engagé. Et declare que le Defendeur Luy a retenu tout Ce quil avoit dans Sans [*sic*] voiture Et a deffendu au personne qui Se Sont trouvé présent de ne point Le retirer Suivant Le Certificat quil a produit En Cour.

Le deffendeur declare quil est vray quil a treté Le demendeur de Coquin Mais que Ce netoit qu'an Cas que Le d^{t} Demendeur Venoit a le quitter Vue quil n'auroit pas pue trouver un autre homme a Sa place.

Le demendeur declare Encore qu'apres avoir Eté trété de coquin et de sclave quil Se trouvoit indigne de rester au Service du deffendeur Et demande que Les effest que Led^{t} deffendeur Luy a retenu Montant Environ a la Somme de Cent Livres en pelleterie Luy Soit renboursé par Le defendeur ainsi que Ses gages.

prinouvaux ayant paru a preté Serment de dire La Verité et a dit quil avoit Entendu dire au S^{r} Cadien Génerallement tout Ce quil declare dans Son Certificat.

for a quantity of flour, which he owed the defendant; and he says that the defendant had caused the aforesaid rifle to be seized in his absence and used it until his return.[1]

The defendant produced notes for the sum of three hundred and ninety-three *livres* in peltries, which are due him by the plaintiff and have matured.

The plaintiff offers to pay his notes; and prays that the defendant be condemned to pay him for the rifle the one hundred *piastres* which it cost.

The Court decided that the value of the plaintiff's rifle shall be appraised by three competent persons and that the defendant be condemned to accept the rifle at the appraised price and to deduct the amount from the notes, which are due him from the plaintiff; and to pay the costs of justice for having used the rifle, reserving the right to the plaintiff to take back his rifle if he wishes and to pay his notes.

MICHEL DUBOIS, Plaintiff, *vs.* FR. MARTIN, Defendant.

The plaintiff sues the defendant, for the purpose, according to his petition, that there be made him reparation of honor because he has been called a rascal and has been so treated by the defendant that he resolved to leave him although in his employ. And he further declares that the defendant has retained all he had in his boat and has forbidden the people who are present to remove it according to a certificate which he brought into Court.

The defendant declares it is true that he called the plaintiff a rascal; but it was only when the plaintiff was on the point of leaving him and because he could not find anyone to take his place.

The plaintiff further declares that after being called a rascal and a slave, he found it demeaning to remain in the service of the defendant and demands that his property amounting to about the sum of a hundred *livres* in peltries, which the defendant has retained, be given back to him and his wages paid.

Prenouvau having appeared made oath to tell the truth and said that in general he had heard M. Cadien say all that he declares in his certificate.

[1] For further particulars, see p. 533.

alexis Brisson ayant Paru a preté Serment de dire La verité et a dit quil est vray quils ont treté Le dit demendeur de Coquin mais que Ce netoit que Sur Le menace quil Luy fesoit de le quitter dans Le tems ou il avoit plus Besoin de luy.

La Cour apres avoir Entendu reciproquement Les deux partie, a Condanner Le deffendeur a rendre Exactement au Demendeur Les Effets quil luy appartienent Et au demendeur a payer Les fraix.

Mons^{r} Gabriel Cerré résidant Sur La rive Espagnol a fait La demende a La Cour de La part de M^{r} Le Commandant de partie Espagnol de fournir vingt Cinq homme pour Se Joindre a une même quantité quil fourni pour posser une Garde a Landroit que l'on trouvera Le plus propre pour veiller et Evitter toute Surprise de La part de nos Enemis, Et quel Sera relevé tous Les quinze Jour.

La Cour a decider que dici a Lundy prochain il Sera pris Des arrangements pour Cette Expedition Vue quil est tres a propos de Le faire.

pierre Gagnon a produit En Cour Le Compte Des payement quil a fait au Creancié de feu Bellau Suivant Lancan quil a fait faire Et a Eté approuvé.

une requette adressé au majistras Contre Ignace Chatigni pour Examinir Si il est Coupable ou non, Des accusation faite Contre Luy.

La Cour a renvoyé La présente Examination a Dimanche neuf du Cour^{t} Comme ayant Deux Magistrat de moin.

augustin angé Sest rendu Cotion de La personne d'Ignace chatignie, Jusqu'au Jour ou il Doit Etre interoger.

La Cour Est ajourné au 9^{e} du Cour^{nt}.

f saucier Clark DuCharme presdan

a une Cour du 25 Juillet.

President M^{r} Ch. Ducharme Clement Langlois
ant. armant philipe Jervais
francois Courié

La Cour Etant assemblé pour prendre Des arengement pour regler Les affaires de feu Jonn Conn. et a nomé francois Saucier

[1] During the summer of 1780 there were many rumors of expected attacks by the British, and besides the one in May another attack on the Illinois villages was actually made on July

Alexis Brisson appeared and made oath to tell the truth and said that it is true that they called the said plaintiff a rascal; but it was only after the threat, which he made, of quitting at a time when there was great need of him.

The Court, after having heard severally the two parties, condemned the defendant to restore accurately to the plaintiff all the property belonging to him, and condemned the plaintiff to pay the costs.

M. Gabriel Cerré, a resident of the Spanish bank of the river, requests the Court on behalf of the commandant of the Spanish territory to furnish twenty-five men to join with a like number, which he will furnish, for the purpose of placing a guard at a place, which will be found most convenient, to watch and so avoid any surprise by the enemy; and which guard will be relieved every fortnight.[1]

The Court decided that between now and Monday next it will make arrangements for this expedition, since it is very expedient to undertake it.

Pierre Gagnon produced in Court the account of the payments, which he had made to the creditors of the late Bellau after the auction, which he caused to be held; and it was approved.

A petition addressed to the magistrates against Ignace Chatigny that an examination be made to see if he is guilty or not of that of which he has been accused.

The Court postponed the present examination till Sunday, the ninth of the current month, since there are two magistrates lacking.

Augustin Angers became bondsman for the person of Ignace Chatigny until the day he was to be interrogated.

The Court adjourned to the 9th of the current month.

F. Saucier, Clerk. DuCharme, President.

At a Court, July 25.

President, M. Charles DuCharme.

Ant. Harmand. Clement Langlois.

François Courier. Philippe Gervais.

The Court assembled to make arrangements to settle the affairs of the late John Conn; and named François Saucier to

17th, and was repelled by the French themselves.—Dodge to Jefferson, August 1, *Va. State Papers*, 1., 368.

pour payer Les Comptes Et Billet quil [*sic*] Luy Seront présenté Et prendra Le Serment de chaque personne Sur Leur Compte et aprés rendera Compte Exacte du tous Les payement quil aura fait Sur Le produit de Lancan Montant a la Somme de 1013lb 15.

f saucier Gref^r DuCharme presd

a une Cour du 14 aous^t 1780.

Président, Ch^r Ducharme philipe Jervais
ant. armant J^n B^te Lacroix
fr. Courrié Joseph Lepage
Clement Langlois Pres^t

fr. Saucier a produit un billet de M^r Charle Gratiot de La Somme de Cinq Mil neuf Cent Soixante Et onze Livres En pelleterie passé a L'ordre de M^r Ch^le Sanguinette, et a demendé que Le dit Sieur Gratiot soit Condanné a payé Son Billet.

L'a [*sic*] Cour a Condanné M^r Gratiot a payer Son d^t Billet Sans delay Sauf a prendre des arengement Ensemble Si M^r Sanguinette Le juge a propôs.

La Cour Est ajourné a Jeudy 17 aoust 1780.

fr saucier. DuCharme presd

a une Cour du 16 aoust 1780.

Président Ch^le ducharme philipe Jervais
ant. armant J^n B^te Lacroix
Clement Lenglois

Presen

L'a [*sic*] Cour ayant fait assémblé tous Les Cap^t de milice Et autres principaux habitant de Ce Village pour Decider Ensemble et prendre Les moyens Les plus Sur pour Eviter toutes Surprises de la par de Leurs Ennemis ont Decidé qu'il Seroit absolument necessaire de faire partir Dici Dix homme choisi pour aller faire une Decouverte Dans La rivierre Des illinois pour tacher de reconnoitre Si positivement L'armé angloise Dont nous Somme menacé Est en marche pour venir Et quetant arivé aux pé il Detacheront quelques pour venir nous informé de Ce qui Si passe Et poursuivront Leur route plus loin Jusqu'a Ce quils ayn [*sic*] Des nouvelles Sartains de L'armé.

pay the accounts and notes, which will be presented to him, and he shall receive the oath of each person in regard to his account; and afterwards he shall render exact account of all payments which he shall have made from the proceeds of the auction, which amount to the sum of 1013 *livres* 15 *sols*.

F. Saucier, Clerk. DuCharme, President.

At a Court, August 14, 1780.

President Ch. DuCharme. Philippe Gervais.
Ant. Harmand. Jean Bte LaCroix.
Fr. Courier. Joseph Lepage.
Clement Langlois. Present

Fr. Saucier produced a note of M. Charles Gratiot for the sum of five thousand nine hundred and seventy-one *livres* in peltries drawn to the order of M. Ch. Sanguinette, and prayed that the said M. Gratiot be condemned to pay his note.

The Court condemned M. Gratiot to pay the said note without delay, reserving the right to the two to make arrangements, if M. Sanguinette judges it expedient.

The Court adjourned to Thursday, August 17, 1780.

F. Saucier. DuCharme, President.

At a Court, August 16, 1780.

President Ch. DuCharme. Philippe Gervais.
Ant. Harmand. Jean Bte. LaCroix.
Clement Langlois. Present.

The Court caused all the captains of the militia and other principal inhabitants of the village to assemble in order to decide upon and take the surest means to avoid any surprise by their enemies;[1] and they decided that it would be absolutely necessary to send from here ten chosen men for the purpose of reconnoitering on the Illinois River in order to endeavor to find out positively if the English army, by which we are menaced, is on the march; and that, when they have arrived at Peoria, they shall detach some men to come and inform us what is taking place; and that the rest shall pursue their route farther, until they have certain news of the army.

[1] See p. 58, n. 1., 539 note.

Et pour Cette Effest il a Etét [*sic*] Decidé D'un plain accord que Chaques habitant tiendra ches Luy Les vivres necessaire pour Luy et Les Soldat quil aura ches Luy pour quinze jour affin d'etre en Etat de partir au même moment que Les découvreur nous auront Donné Des nouvelle de nos Ennemis, Desirant tous Ensemble aller au devant plutot que de Se Lesser attaquer Et Même Les Lesser trop aprocher Les village prevoyant La perte Du païs Si il Les y Lessé arrivé En Consequence toute Lassemblé Espere que par Le Secour unanime Des Deux rive il Seront a même daretter par Ce moyens tous Les projest De Leurs Ennemis.

Et pour n'etre pas Embarassé pour Les Voiture il a Eté decidé et accordé que toute Les voiture qui Sont Dans Ce village Seront toutes arretté et mis en garde, Jusqua ce que L'on Soit Sur de n'en avoir point de Besoin.

La Cour et toute Lassemblé ont Eté Daccord quil Seroit a propôs de prier Le Major William de Sintéresser pour pouvoir avoir autant de monde quil Seroit possible d'avoir Des Cas. moyenant quil Se fournisse Les vivres et Les voiture necessaire pour Se Joindre au Jens de ce village pour Lexpédicion vue que Cest Le bien de tout Le païs et qua Cette Effest il Leur Sera Danné de pareils ordres pour Etre pret a partir Sitot Les nouvelle de nos Decouvreur recue.

Et pour Cette Effest il Sera donné Des ordres pour que toute Les chauses necessaire pour Lexpedition Seront pret Dici a huit Jour Sous peine De punition.— aux Cahôs Le 16 aoust 1780.

f trotier. DuCharme presd
, fr saucier Greffier

a une Cour du 25 aoust 1780.

Président Ch. Ducharme ph. Jervais
J^{n} B^{te} LaCroix J^{ph} Lapage
fr. Courrier Présen

Demendeur Louis trotier Defendeur ant armant

Le Demendeur poursuit Le defendeur pour trois Cent Livres de farine pour une paire de roux quil Luy a fait.

Le defendeur Dit quil Etoit Convenu de Luy donner ou

[1] Very little is known of John Williams, except the very active part he took in the campaigns in Illinois.— English, *Conquest of the Northwest, Index*. He was in command at

And for this purpose it was decided unanimously that each inhabitant shall keep at his house provisions necessary for himself and the soldiers, whom he shall have with him, for a fortnight, so as to be ready to start at a minute's notice, when the reconnoitring party gives news of our enemies, since all desire to go to meet the enemy rather than allow them to make the attack or even to approach too near the village, in view of the loss to the country, if they are allowed to reach it. Accordingly the whole assembly hopes that by the unanimous succour of both bank they will be be able by this means to thwart the plans of their enemies.

And in order not to be embarrassed by want of boats, it was decided that all the boats in this village shall be secured and guarded until it is certain that there is no need of them.

The Court and the whole assembly have agreed that it would be expedient to ask Major Williams[1] to interest himself in obtaining as large a force as possible from Kaskaskia, on condition that they furnish themselves with the provisions and boats necessary to join the people of the village on the expedition, since it is for the good of the whole country; and that for this purpose he shall give them similar orders to be ready to set out as soon as news from the reconnoitring party is received.

And for this purpose there shall be given orders so that everything shall be ready within a week, under penalty of punishment. At Cahokia, August 16, 1780.

F. Trottier. DuCharme, President.
F. Saucier, Clerk.

At a Court, August 25, 1780.

President, Ch. DuCharme. Phil. Gervais.
Jean Bte. LaCroix. Jos. Lepage.
Fr. Courier. Present.

Louis Trottier, Plaintiff, *vs.* Ant. Harmand, Defendant.

The plaintiff sues the defendant for three hundred pounds of flour due for a pair of wheels, which he had made for him.

[1] Cahokia at this time, having superseded McCarty, after Colonel Montgomery returned from the Rock river expedition.—McCarty's letter to Clark in this volume, p. 620 and also p. 543, note 7.

pelleterie ou farine mais que Ce trouvant Cour de farine il offre Soixante Livres En pelleterie au demendeur pour Ses roux.

Le demendeur dit que Le defendeur Luy a offert de La pelleterie mais quil Luy avoit dit que Ce n'etoit point de La pelleterie quil Luy devoit que Cetoit de La farine.

M^r ant^t armant a produit La personne de George hait pour temoins qui aprés avoir prété Serment a dit quil Etoit présent Lorsque M^rs armant Et trottier ont fait marché pour une p^r de roux Et que M^r armant Luy a dit quil n'avoit point de farine a Luy donner avant Les recolte mais quaprés Les recolte il Luy En donneroit ou Soixante Livres en pelleterie.

La Cour a decidé que Les deux partie Setant offert a donner Chaq'un Leur Serment, que le defendeur payeroit au demendeur La moitié En farine Et Lautre moitié en pelleterie. Et payeroit Chaq'un Leur part des fraix.

francois saucier a porté plainte Contre Ignace Chatignie pour une insulte quil a fait a La Cour. ayant dit que tout Les majistrat Etoit tous Des Bette.

Ignac chatignie ayant Paru a dit quil Etoit vray quil Lavoit dit mais quil ne Croyoit pas que cela Seroit repeté.

La Cour a decider que pour Linsulte qui a Eté fait par led^t Ignace Chatignie a la Cour quelle Saddressera a M^r trotier Command^t au dit Lieu de Le faire mettre En prison huit Jour et payera Cinquante Livres D'amende pour Leglise Et Les fraix.

La Cour Est ajourné a Jeudi 7 de Septembre.

f saucier Greffier DuCharme presd

a une Cour du 14^e Septembre 1780.

Président Ch^le Ducharme	clem^t Langlois
J^n B^te Lacroix	ph^pe Jervais
J^h Lepage	ant. armant
fr. Courier	present

ALEXIS BRISON Demendeur AUG^t. ANGÉ Defendeur

Le Demendeur poursuit Le Defendeur pour Luy avoir fait reproche d'avoir Eté La Cause de La mort du nomé Dubois,

[1] Proof by oath was a survival from the primitive German law, and was modified by the influence of the canon law during the Middle Ages. This method of reaching a decision was resorted to only in case of lack of sufficient proof by witnesses. The procedure was not without formalities. It was decided by agreement between the parties which of the two should

The defendant says that he had agreed to pay him either peltries or flour, but finding himself short of flour offers sixty *livres* in peltries to the plaintiff for his wheels.

The plaintiff says that the defendant offered peltries, but he had said that it was not peltries that the latter owed, but flour.

M. Ant. Harmand produced the person of George Hait as witness, who, after making oath, said that he was present when MM. Harmand and Trottier made a bargain for a pair of wheels and that M. Harmand told the plaintiff that he had no flour to give before the harvest, but that after the harvest he would give him flour or sixty *livres* in peltries.

The Court decided that, since each party offered to give the other his oath,[1] the defendant should pay the plaintiff half in flour and half in peltries, and that each should pay his part of the costs.

François Saucier brought complaint against Ignace Chatigny for an insult which he had offered to the Court, having said that all the magistrates were fools.

Ignace Chatigny appeared and said that it was true that he had said it, but he had not thought it would be repeated.

The Court decided that on account of the insult, which had been offered it by the said Ignace Chatigny, it will make application to M. Trottier, commandant in said place, to have him put in prison for a week; and that he shall pay fifty *livres* fine to the church and the costs.

The Court adjourned to Thursday, September 7.

F. Saucier, Clerk. DuCharme, President.

At a Court, September 14, 1780.

President, Ch. DuCharme. Clem. Langlois.
Jean Bte. LaCroix. Phil. Gervais.
Jos. Lepage. Ant. Harmand.
Fr. Courier. Present.

Alexis Brisson, Plaintiff, *vs.* Aug. Angers, Defendant.

The plaintiff sues the defendant for having reproached him with being the cause of the death of the named Dubois and prays

confirm his statement by oath. In the above case both parties appeared equally ready to make oath, and so the judges made a compromise. The procedure is illustrated by other examples in this volume.—Glasson, *Hist. du droit et des institutions de la France*, vi., 563.

Et demande a La Cour que Le Defendeur Luy prouve Se Dont il Lacuse avoir fait.

Le defendeur Déclare quil est Vray quil a dit au Demendeur ayant Eu dificulté avec Luy Jusqua moment de ce fraper, quil en avoit fait perir un Et quil ne Le feray pas perir Luy, et quil est bien Vray quavant La dificulté que Le d^{t} Dubois a Eu avec Le Demendeur quil Se portoit Bien et que Depuis Ce tems il Sest mis au Lit Et n'en est point relevé et cela a la Connoissance de tout Le monde.

pierre Gatient ayant paru a preté Sermant Sur Le S^{t}. Evangille de dieu tout puissant de dire La Veritté Et a dit que il vray que Dubois Luy a dit que Brisson Luy avoit Donné une tape et quil ne Lavoit Jamais frapé avec Son fusil, et qu'en outre il n' avoit jamais Envoyer chercher fr saucier pour Luy Dire tout ce quil a deposé a la Cour de Sa part.

fr. saucier a prété Serment Sur Le Saint Evangile de dieu tout puissant Et a dit quil a Eté Envoyé Cherché par m^{r} Lionay et m^{r} Longval Et quayant eté chés Led^{t} Dubois quil Luy auroit Dit que M^{r} Brisson ayant Eté ches Luy et quil L'avoit frapé Luy avoit Cassé Son fusil et Luy a donne un Coup de pied dans Le Coté et quil avoit craché Le Sang du Coup.

M^{r} Lionay ayant paru a prété Serment Sur Le S^{t} Evangille de dieu tout puissant et a dit quil a Eté envoyé de La part de feu dubois chercher m^{r} Saucier pour Luy Conter La dificulté quil avoit Eu avec Brisson Et quil Luy a Dit que Brisson Lavoit Battu et quil Croyoit quil n'en reviendray pas.

La Cour a decider que Suivant Les Deposition qui ont Ete fait Contre Le Dit Demendeur quil Sera pris et arreté et Mis En prison pour que Sous huit Jour il aye a donner Des preuve plus grande du Contraire de ce dont il Est taxé. faute de quoy il Sera fait une Semblé de Juré pour Decider Son affaire.

une Lettre adressé en Cour par M^{r} Ducharme Signe ch Gratiot qui demende que La Cour ne termine aucune affaire Contre Luy avant Son retour.

fr Saucier porteur D'un de Ses Billet a demender a la Cour

the Court that the defendant prove that which he accuses him of having done.

The defendant declares that it is true that he said to the plaintiff, at a time when he had a quarrel with him up to the point of coming to blows, that he had made one die and that he wasn't going to make him. He further said that it is true that before the quarrel, which the said Dubois had had with the plaintiff, the former was in good health and that after that time he went to bed and never got up again and every one knew that.

Pierre Gatient having appeared made oath on the Holy Gospels of Almighty God to tell the truth and said that it is true that Dubois told him that Brisson had given him a rap and that he had not struck him with his gun; and furthermore he had never summoned Fr. Saucier to tell him what the latter had deposed in the Court on his account.

Fr. Saucier made oath on the Holy Gospels of Almighty God and said that he had been summoned by M. Lionet and M. Lonval and that, when he was at the house of the said Dubois, the latter told him that M. Brisson had been at his house and had struck him, had broken his gun on him and given him a kick in the side and that he had spit blood on account of the blow.

M. Lionet having appeared made oath on the Holy Gospels of Almighty God and said that he was sent by the late Dubois to summon M. Saucier so that he might tell him about the quarrel, which he had had with Brisson; and that he told M. Saucier that Brisson had beaten him and he feared that he would not recover.

The Court decided that, on account of the depositions which have been made against the said plantiff, he shall be apprehended, arrested and put in prison in order that within a week he should give greater proofs to the contrary of that with which he has been accused, in default of which there shall be held a meeting of jurors to decide his case.

A letter presented to the Court by M. DuCharme and signed by Ch. Gratiot who requests the Court not to terminate any cause against him before his return.

Fr. Saucier bearer of one of his notes prayed the Court for a

une Saisi provisionaire Sur tous Les Bien dud^{t} Sieur Gratiot. Si il nest pas de retour dans Dix Jour de Cette datte.

La Cour a accordé a fr. Saucier appres Les dix Jour Expire La saisie provisionaire Suivant sa Demande.

La Cour Est ajourné a Jeudi 21 du cour^{t}.

fr saucier Greffie. DuCharme presd.

a une Cour tenue Le 21 Septembre 1780.

président. Ch^{le} Ducharme fr. Courier

J^{n} B^{te} Lacroix Clet Langlois

ant. armant present

Demendeur S^{r} ORTIS Defendeur S^{r} HENSON

Le demendeur poursuit Le déffendeur pour Des avances quil Luy a fait Suivant Ses obligation et Billet.

Le Deffendre repond par une Lettre adressé a la Cour que vue La Situation du tems il Demande pour dellay de Suspendre L'exécution Jusqua Noél prochain au defaut de quoy il Sofre a Sexecuter Luy même a Ce tems pour tout Dellay.

Il a Eté Decidé et accordé par La Cour que M^{r} Henson Donnera un bon et Sufissant Cotion a M^{r} ortis pour Ce quil Luy doit et aura un terme dici a Noél prochain pour tous Dellay a payer ce quil Luy doit Et a payer Les fraix Montant a douze Livres Dix Sols.

Demendeur ANT ARMANT Deffendeur JOSEPH RELLE

Le Demendeur pousuit Le Deffendeur pour un Billet Consenti par Luy, a L'ordre de Baptiste Bellan et Dont il Est Chargé etant passé a Son ordre.

Le deffendeur produit un Billet par Lequelle Led^{t} bellan prie M^{r} Sanfaçon de remettre a Joseph relle Le Billet Dont il etoit Chargé.

La Cour ne pouvant pas Condanner Led^{t} Joseph rélle a payer Led^{t} Billet a Condanner Le demendeur a rendre au Defendeur Son Billet montant a la Somme de Soixante Livres en pelleterie, et a garder Le billet que bellant Luy ecrit pour avoir Son recours Sur Luy Comme Le dit billet Etoit passe a Son ordre et Le Demandeur a payer Douze Livres Dix Sols pour fraix.

provisional attachment on all the goods of the said M. Gratiot, if he has not returned within ten days from this date.

The Court granted Fr. Saucier the provisional attachment after the expiration of ten days, in accordance with his prayer.

The Court adjourned to Thursday, the 21st of the current month.

Fr. Saucier, Clerk. DuCharme, President.

At a Court held September 21, 1780.

President, Ch. DuCharme. Fr. Courier.

Jean Bte. LaCroix. Clem. Langlois.

Ant. Harmand. Present.

M. ORTIS, Plaintiff, *vs.* M. HENSON, Defendant.

The plaintiff sues the defendant for advances, which he made him, according to his obligation and note.

The defendant answers by a letter addressed to the Court that in view of the conditions of the times he prays for a stay of execution till next Christmas and in default of payment at that time he offers to sell his property himself without further delay.

It was decided and granted by the Court that M. Henson shall give good and sufficient surety to M. Ortis for what he owes him and he shall have the term till Christmas and no longer in which to pay what he owes; and he is to pay the costs amounting to twelve *livres* ten *sols*.

ANT. HARMAND, Plaintiff, *vs.* JOSEPH RELLE, Defendant.

The Plaintiff sues the defendant on a note made by him to the order of Baptiste Bellan and with which the plaintiff is charged, as it has been assigned to his order.

The defendant produces a letter in which the said Bellan begs M. Sansfaçon to return to Joseph Relle the note with which he was charged.

The Court, not being able to condemn the said Joseph Relle to pay the said note, condemned the plaintiff to return to the defendant his note, which amounts to the sum of sixty *livres* in peltries, and to keep the letter which Bellan wrote him in order to have recourse against the same, since the said note was assigned to his order. The Court condemned the plaintiff to pay twelve *livres* ten *sols* for costs.

Demendeur M^r^ LEVASSEUR Deffendeur PRENOUVAUX

Le demendeur poursuit Le deffendeur pour un Difficulte Entre Eux a Legar d'un Echange D'un Canon de fusil quil Changoit avec Le deffendeur moyenant Cinq Livres En pelleterie de retour pour Le Canon et quinze Livres pour Le remonter, mais Comme Le deffendeur Se refuse a Luy remettre Les Cinq Livres quil Etoit Convenu pour L'echange il Luy a rendu Son canon de fusil et demende que Le deffendeur Luy paye La monture quil avoit fait a Son fusil ne pouvant pas Servire a l'autre.

Le deffendeur dit quil Etoit Convenu de donner au demendeur une Ecus de retour Seulement.

Les deux partie Setant offert Lun et Lautre de preter Serment, et nayant aucun témoin La Cour Les a renvoyé a payer La moitié chac'un Des fraix. et Le Demendeur a perdre La moitié de Ce quil demande pour La monture du fusil.

La Cour Est ajourné Jeudy 5 8^bre^.

DuCharme presd^t^

La Cour Etant Encore assemblé, et a pris Le Serment des Douze Juré qui ont Eté nomé Comme il a Eté accordé a une Cour^t^ du 14^e^ du present pour Juger Laffaire Entre Brison et angé et ont a Linstant demendé que Les declaration fait a ce Sujet Leur Soit Lue Ce quau même moment a Eté fait et ont appres Le tout Bien Examiner; que par La Declaration faitte Sous Serment par pierre Gatien qui prouve Le Contraire de La Denonciation de dubois Luy même Et faitte a D'autre pareillement[1] et nayant aucune preuve du Contraire nous Soussigné Juré En vertu de Lordre qui nous a Eté Donné par La Cour de Decider Laffaire de Brisson et D'engé nous n'avons trouvé auqu'ne preuve Suffisante pour Condanner Led^t^ Brisson a auqu'ne Chose que se Soit Et que La Cour Condannera qui elle Jugera a propôs aux frais Depends &c. aux Cahôs Le 21^ie^ 7 bre 1780.

[1] The clause "*Et faitte a D'autre pareillement*" was not originally written by the clerk that way. The "*Et*" is an insertion and after "*pareillement*" a *contraire* was inserted and then crossed out.

[2] As far as is known, this was the first jury trial in Illinois or the Northwest, certainly the first recorded one. The system of trial by jury was not introduced by the British government,

M. LEVASSEUR, plaintiff, *vs.* PRENOUVAUX, Defendant.

The plaintiff sues the defendant on account of a difficulty between them in regard to an exchange of a gun barrel, which he changed with the defendant in consideration of five *livres* in peltries to boot for the barrel and fifteen *livres* for making a stock for it; but since the defendant refused to pay him the five *livres* to which he agreed for the exchange, he had returned his gun barrel and demands that the defendant pay him for the stock, which he had made for the barrel, because he is not able to use it on another.

The defendant says that he agreed to give the plaintiff only one *ecu* to boot.

Since both parties offered to take oath and they had no witnesses, the Court dismissed them, ordering each to pay half the costs and the plaintiff to lose half of what he demands for the gun stock.

The Court adjourned to Thursday, October 5.

DuCharme, Pres.

The Court being still assembled received the oath of the twelve jurors, who were named in accordance with the order of the Court of the 14th of the present month, to judge the case between Brisson and Angers. And they now demanded that the declarations, which were made, be read to them, and this was immediately done. After a careful examination they decided that the affidavit of Pierre Gatient made under oath proves the contrary of the accusation of Dubois himself which was made to others also;[1] and since there is no other proof to the contrary, they return this verdict: "We the undersigned jurors, in virtue of the order given us by the Court to decide the cause of Brisson and Angers, have not found any proof sufficient to condemn the said Brisson on any count whatsoever; and recommend that the Court condemn whomever it judges proper to pay the costs etc."[2]

At Cahokia, September 21, 1780.

as has been frequently said.—*Kas Rec., Edict of Colonel Wilkins.* In this edict Wilkins gave the court of judicature, established by him in 1768, jurisdiction in criminal matters, but he said that the people were not sufficiently familiar with English law to permit trials by jury. The use of trial by jury in the courts of the county of Illinois was due to the influence of the Virginians.—*Introduction,* p. lxiii.

[*Signed.*]

Sa Ch[le] + Butau marque	Ch	Sa Pierre + Gramon marque
sa B[te] + Lussier marque	G. Blin	sa rap[l] + Gagné marque
sa fr + prenouvaux. marque	B. Saucier	sa f. + cretien marque
sa B[te] + Baron marque		sa Louis + chatel marque

21[ie]. 7bre 1780. La Cour Setant rassemblé pour Examiner L'opinion Des Juré Si Dessu nomé president Ch[le] Ducharme, J[n] B[te] Lacroix Clement Lenglois, ant. armant, tous quatre present Et ont Condanné et Condanne Le S[r] augustin angé aux fraix qui auront Eté fait, &c nayant pas produit Sufisante preuve Contre L'ataque quil a fait a alexis Brisson.

f saucier Greffier.

a une Cour du 15 8bre 1780.

président Ch[le] Ducharme	clement Lenglois
B[te] Lacroix	philipe Jervais
	pres[t]

a La demende de plusieurs personne de ce Village pour avoir Des permis pour aller ou Leurs petite affaires Les appellent, La Cour Sest assemble pour Ce Sujete et a decidé quil Sera donné Des permis a quelque personne d'une reputation et Caractere reconnu et quil Sera Defendu tres Expressement a qui que Se Soit D'importer avec eux aucune Boison anivrente Et Donneront Cotion qui repondera de toute malversation de Leur par.

pierre Gatien ayant preté Serment Sur LeS Evangille de rien faire ni faire auqu'ne Chose Contraire aux Etat Et a Donné La personne de m[r] fr trotier pour Cotion il Luy a Eté accordé un permis pour aller Dans Le mississipy ou Ses affaires Lapellent.

La Cour Est ajourné Jeudy 19, 8[bre].

fr saucier Gref DuCharme prd.

[*Signed.*]

his Charles + Buteau. mark	CH.	his Pierre + Grandmont. mark
his Bte. + Lussier. mark	G. Blin.	his Raph. + Gagné. mark
his Fr. + Prenouvau. mark	B. Saucier.	his F. + Chretien. mark
his Bte. + Baron. mark		his Louis + Chatel. mark

September 21, 1780, The Court reassembled to examine the opinion of the jurors above named, President Charles DuCharme, Jean Bte. Lacroix, Clement Langlois, Ant. Harmand all four being present; and has condemned and does condemn M. Augustin Angers to pay the costs of the trial, since he has not proved his accusation against Alexis Brisson.

F. Saucier, Clerk.

At a Court, October 15, 1780.

President, Ch. DuCharme. Clement Langlois.
Bte LaCroix Philip Gervais.

Present.

On the petition of several persons of this village for permission to go where their private business calls them, the Court assembled to consider this subject, and decided that permission shall be given to some persons of recognized reputation and character, and that it shall be very expressly forbidden everybody to import with them any intoxicating liquor, and that those to whom permission to go is given shall present bondsmen who will be responsible for all misdemeanors on their part.

Pierre Gatient made oath on the Holy Gospel to do nothing and to cause nothing contrary to the interests of the State and presented the person of M. Fr. Trottier for bondsman. He was granted permission to go on the Mississippi, where his business calls him.

The Court adjourned to Thursday, October 19.

F. Saucier, Clerk. DuCharme, Pres.

26 8bre

President Jh Lepage ant. armant
Jn Bte Lacroix phle Jervais
clemt Langlois Present

Pierre Dorion Demendeur Chle Ducharme Deffendeur

Le demendeur poursuit Le defendeur pour avoir Cotioné pour Le nomé Joseph Deloge a qui il a Gagné quartre Cent Livre au Jeu de Carte et dit navoir Joué avec Luy que Sur Les assurance de Son argent que que [*sic*] Le deffendeur Luy donnoit par Son Cotionnement.

Le deffendeur declare avoir Servie de Cotion a Joseph Deloge pour Jusqu'a La Somme de quatre Cent Livres, Mais que Le dt Deloge Luy a dit quil ne Les avoit point perdu.

La Cour a renvoyé Le présent proçes pour Etre Decidé a La Cour prochaine Et Estre Ledt Deloge pourcuit par Le Demendeur avant que d'attaque Le Cotion Deffendeur.

Bte Saucier Demendeur Joh Asselin Deffendeur

Le demendeur poursuit Le deffendeur, pour nayant pas pu un Jour aller Livrér de la chau d'un fournau quils avoient fait En Commun Sans auqu'un marché ni Convention que Sur Leur parole, que Le Deffendeur Luy fait payé un Compte de travau quil a fait faire au fournau aprés Etre Cui Sans Le prevenir de Louvrage quil alloit y faire faire.

Le Deffendeur declare avoir Eté une fois dire au demendeur d'aller Livrer de La chau ne pouvant pas cy aller Luy même.

Le Demendeur repette quil a dit au deffendeur Cette Journé La que Le fournau periray plutant que de quitter Louvrage quil avoit, Et quil pouvoit prendre un homme Et L'envoyer a Sa place Et Lui Le payeroit.

La Cour a Condanner Le deffendeur a Livrer au Demendeur La moitié du fournau Et a payer tous Deux Les fraix qui ont Eté fait pour La Conservation de Leur fournau Et payeront Egalement La fraix De Justice.

La Cour Est adjourné Jeudy 2ie de 9bre.

fr saucier Greffier Jh lepage presidan

[1] The popular gambling game among the French at this time was *Vingt-et-un*.

October 26.

President J. Lepage. Ant. Harmand.
Jean Bte LaCroix. Phil. Gervais
Clement Langlois. Present

PIERRE DORION, Plaintiff, *vs.* CH. DUCHARME, Defendant.

The plaintiff sues the defendant for having given bond for the named Joseph Desloges, from whom the plaintiff won four hundred *livres* at cards[1]. He says that he played with Desloges only because of the assurance of his money which the defendant gave by his surety.

The defendant declares that he acted as bondsman to Joseph Desloges up to the sum of four hundred *livres*, but says that the said Desloges told him that he had not lost that amount.

The Court continued the present suit to be decided at the next Court and ordered that the said Desloges be sued by the plaintiff before suit is brought on the surety of the defendant.

BTE. SAUCIER Plaintiff, *vs.* JOS, ASSELIN, Defendant.

The plaintiff sues the defendant because he was not able to go one day and draw off the lime from a kiln which they had made together without any contract or agreement except their word; and he says that the defendant made him pay a bill for work, which he had ordered done on the kiln after it was fired, without informing the plaintiff of the work he intended to have done on it.

The defendant declares that he went one time to tell the plaintiff to go and draw off the lime, since he was not able to go himself.

The plaintiff repeats that he told the defendant that day that the kiln might go to ruin before he would leave the work he was doing; and that he could get a man to send in his place and that he would pay him.

The Court condemned the defendant to give the plaintiff half the kiln, and both to pay the expenses which had been made for the preservation of the kiln, and to pay equally the costs of justice.

The Court adjourned to Thursday, November 2.

F. Saucier, Clerk. Jos. Lepage, President.

a une Cour du 16 9bre

Président Josh Lepage ant. armant
Chre Ducharme fr. Courrié
Jn Bte Lacroix Present

Demendeur Pierre martin Defendeur Chre Lacroix

Le Demendeur poursuit Le Deffendeur pour un pourçeau quil a pris Dans La prarie Du pon Et quil a renfermé Ches Luy, Et Demande quil Luy Soit rendu.

Le demendeur dit Encore que Mr pierre roy a dit au deffendeur Lorsquil a pris et amener Ledt pourçeau Ches Luy quil ne Luy appartenoit pas quil Etoit au demendeur a quoy Ledt deffendeur a repondu que Celuy quil Le reclameroit Le Viendroit Cherché.

Le Deffendeur Dit quil Croyoit Bien Le dt pourçeau a Luy Lorsquil a pris Et que Si Le Demendeur Donne Des preuve quil Soit a Luy quil Consent a Luy rendre.

Le Demendeur a produit Deux temoins qui ont fait La Visite au dit pourçeau pierre roy et Louis Chatelle ont preté Serment Sur Le Saint Evangile de dieu tout puissant de repondre au question qu on Leur feroit, et ont Dit qu'apres avoir Visité Le pourçeau quils ont reconue que La marque Etoit Celle du demendeur quoiquil paroit quil aye Eté un peu Deguisé Soit par la gelé ou par quelque Branche mais que malgré cela que Leurs opinion Est quil Croye que cest La marque du demendeur.

La Cour a D'un plain accorde Condanné Le deffendeur a rendre au demendeur un pareille Cochon Comme Etoit Celuy quil Lui a pris Sujet a Etre visité par Celuy quil L'a vue Lorsquil a Eté prie Et a payer Les fraix.

Jean Bte Lacroix Demande a la Cour quil Luy Soit permis de faire vendre quelques Effest appartenant au Sieur Sills, pour une Somme de quatrevingt et quelque Livres quil Luy doit.

La Cour a permis a Monsr Lacroix La vente Des dits Effest dudt Sills dimanche prochain.

La Cour Est ajourné Jeudy 7 xbre

f saucier Greffier Jh lepage pre

At a Court, November 16.

President, Jos. Lepage. Ant. Harmand.
Ch. DuCharme. Fr. Courier.
Jean Bte. LaCroix. Present.

PIERRE MARTIN, Plaintiff, *vs.* CH. LACROIX, Defendant.

The plaintiff sues the defendant for a pig, which he had taken in the Prairie du Pont and shut up at his house and demands that it be returned to him.

The plaintiff further says that M. Pierre Roy told the defendant at the time he captured and carried the pig away to his house that it didn't belong to him but to the plaintiff, to which the defendant answered that he who claimed it might come to fetch it.

The defendant says that he really believed the said pig his, when he took it; but if the plaintiff gives proof that it belongs to him, he would consent to return it.

The plaintiff produced two witnesses, who have inspected the said pig. Pierre Roy and Louis Chatel made oath on the Holy Gospels of Almighty God to answer the question which was put to them; and said that, after examining the pig, they recognized that the brand was that of the plaintiff, although it appeared to have been somewhat disguised either by frost or some branch, but that in spite of that their opinion is that it is the brand of the plaintiff.

The Court unanimously condemned the defendant to return to the plaintiff a pig similar to the one he had taken, subject to inspection by him, who saw the pig when it was taken, and to pay the costs.

Jean Bte. LaCroix prays the Court to be permitted to have sold some goods belonging to M. Sills for a sum of eighty odd *livres* which the latter owes him.

The Court permitted M. LaCroix to hold the sale of the said goods of the said Sills Sunday next.

The Court adjourned to Thursday, December 7.

F. Saucier, Clerk. Jos. Lepage, Pres.

a une Cour du 23 9^{bre} 1780

President Jo Lepage	Clem Langlois
Ch. Ducharme	philipe Jervais
ant armant	J^{n} B^{te} Lacroix
	pres^{t}

un Compte présenté En Cour par J^{n} B^{te} Lacroix de Joseph matelot Due a B^{te} Lamarche Et Demande que Le cheval dud^{t} matelot Soit vendu pour payer une Somme de Cent Vingt Deux Livre que Led^{t} Lamarche Luy doit Et a renbourser Le Surplus Si il Est Vendu plus.

La Cour a accordé a J^{n} B^{te} Lacroix La vente du Cheval pour payer Le Compte de J^{n} B^{te} Lamarche et autre Si il Sen trouve aprés toute fois que J^{n} B^{te} Lacroix aura tiré Soixante Et dix Livres En pelleterie quil a payé a Pierre S^{t} martin pour avoir amené Led^{t} cheval et quarante Livres au même pour Led^{t} Lamarche.

un autre Compte présente par J^{n} B^{te} Lacroix de Samuel Silles Montant a la Somme de soixante Et dix huit Livres.

Et a produit aussi La vente de Ses Effest montant a la Somme de Cent dix livres dix sols. La Cour a acordé a J^{n} B^{te} Lacroix soixante Et dix huit Livres En pelleterie, Et Le [*sic*] que Le reste Sera Deposé Entre Les main du Cherif pour payer Les fraix et autre Creancier Si il Sen trouve.

La Cour Est ajourné a Jeudy 7 X^{bre}

a une Cour 19 X^{bre} 1780.

President Joseph Lapage	ant armant
J^{n} B^{te} Lacroix	philipe Jervais
	pres^{t}
Demendeur FR. TROTIER	Defendeur PIERRE MARTIN

Le Demendeur poursuit Le Deffendeur pour un Cheval quil Luy a Changé pour un Boeuf Et que Le Deffendeur refuse de Luy donner.

Le deffendeur repond que Le demendeur Luy avoit promis de Luy donner un bon Boeuf tel quil Luy avoit demender pour apareillié un Des Sien.

At a Court November 23, 1780.

President Jos. Lepage. Clem. Langlois.
Ch. DuCharme. Philippe Gervais.
Ant. Harmand. Jean Bte. LaCroix.

Present.

Jean Bte. Lacroix presents in Court an account of Joseph Matelot due to Bte. Lamarche and demands that Matelot's horse be sold to pay a sum of one hundred and twenty-two *livres*, which the said Lamarche owes him and that the surplus, if it sells for more, be returned.

The Court granted to Jean Bte. Lacroix the sale of the horse to pay the account of Jean Bte. Lamarche and another if there is any, but only after Jean Bte. LaCroix shall have deducted seventy *livres* in peltries, which he paid to Pierre St. Martin for having brought the said horse, and forty *livres* to the same for the said Lamarche.[1]

Jean Bte. LaCroix presented another account of Samuel Sills amounting to the sum of seventy-eight *livres* and presented also the statement of the sale of his goods amounting to the sum of one hundred and ten *livres* ten *sols*.

The Court granted to Jean Bte. LaCroix seventy-eight *livres* in peltries, and ordered that the balance be deposited in the hands of the sheriff for the payment of expenses and other creditors, if there are any.

The Court adjourned to Thursday, December 7.

At a Court December 19, 1780.

Presidents Joseph Lepage. Ant. Harmand.
Jean Bte. LaCroix. Philippe Gervais.

Present.

Fr. Trottier, Plaintiff, *vs.* Pierre Martin Defendant

The plaintiff sues the defendant for a horse, which he exchanged with him for an ox and which the defendant refuses to give him.

The defendant answers that the plaintiff promised to give him a good ox, such as he had demanded, to match one of his own.

[1] Thus sparing Matelot these expenses.

Vue Les Difficulté des partis La Cour a demendé Des preuve par temoin de Leur Echangé.

pierre roy ayant preté Serment a dit que martin a dit a M^r trotier que Son Boeuf navoit jamais tiré Et que M^r trotier Luy a dit quil gageroit Le Boeuf quil av[oit] tirré.

appres avoir Entendu Les parties reciproquement La Cour, a Condanné Le deffendeur a tenir Lechange avec Le demendeur. Et quand a Leur gajur Elle a Eté renvoyé Sans auq'une Condannation, Et quand au fraix de Justice il Sont Condanné a En payer Chaqu'n La moitié.

La Cour Est ajourné Jeudy 21 xbre.

fr saucier Greffier Jh lepage presidan.

a une Cour du 18^ie Jenvier 1781.

président J^h Lepage J^n B^te Lacroix

ant armant Ch^le Ducharme

présent

Demendeur B^te BARGEON Deffendeur ALEXIS TABAUT

Le demendeur poursuit Le Deffendeur au Sujet d'une acte de Donnation de toutes Ses biens moyenant que Le Deffendeur ne manque pas a aucune chause Dont il Etoit oblige par Lad^tte Donnation Et quau Contraire quil est Sorti de Ches Luy Sans Seulement L'en avertir ni San Savoir pourquoy Et demande que Le Deffendeur Luy paye un Dedomagement, ou que La Donation aye tourjour Lieu.

Le Deffendeur repond par requette quil Est Sorti de La maison du Demendeur pour Eviter a lavenir accident facheux Vue que Led^t Demendeur a fait Son possible pour pousser Son Exés de Libertinage et de subornation envers La femme Du deffendeur et demende La Cassation de La ditte Donation Et quil Luy Soit Livre de Sortir de la maison dud^t Demendeur avec Ses effest Et Le Condanner a payer Sa pention et Blanchichage depuis quil Est a Ses sarge

La Cour a accordé au Sieur tabau suivant sa demande La Cassation de Lad^tte Donnation Et a ordonné au S^r Bergeron de

[1] This kind of donation was very common. The donor conveyed by deed of gift all his property to the donee in return for board, lodging, etc., for life. Ferriere, *Coutume de Paris*,

In view of the difficulty between the parties the Court demanded proofs by witnesses of their exchange.

Pierre Roy took oath and said that Martin told M. Trottier that his ox had never drawn and that M. Trottier answered that he would warrant the ox that it had drawn.

After having heard both parties, the Court condemned the defendant to hold to the exchange with the plaintiff and as to their pledge [?] it has been dismissed without any condemnation, and as to the costs of justice they are each condemned to pay half.

The Court adjourned to Thursday, December 21.

F. Saucier, Clerk. Jos. Lepage, President.

At a Court, January 18, 1781.

President, Jos. Lepage. Jean Bte. LaCroix.

Ant. Harmand. Ch. DuCharme.

Bte. Bergeron, Plaintiff, *vs.* Alexis Tabeau, Defendant.

The plaintiff sues the defendant in regard to an act of donation of all his goods made on condition that the defendant should fail in nothing, to which he was bound by the said donation.[1] Contrary to the agreement the defendant has left the plaintiff's house without giving notice and without the plaintiff's knowledge of the cause. He now demands that the defendant pay him a compensation or that the donation continue in force.

The defendant answers by petition alleging that he left the plaintiff's house to avoid any future disagreeable accidents, because the plaintiff tried his hardest to extend his excessive licentiousness and subornation to the defendant's wife; and he demands the annulment of the said donation and that he be free to go forth from the plaintiff's house with his property and that the plaintiff be condemned to pay his board, lodging and washing, since he is bound to support him.

The Court granted M. Tabeau, in accordance with his prayer, the annulment of the said donation and ordered M. Bergeron to return to the said Tabeau whatever he might have belonging to

iii., 1017 *et seq.*; Alvord, *Illinois in the Eighteenth Century*, *Bulletin* of Ill. State Hist. Lib. vol. i., No 1

remettre aud^{t} tabau ce qui peut avoir a luy appartenant Ches Luy et a payer trois mois de pention aud^{t} tabau et Blanchissage a raison de trente Cinq Livres par mois et a payer Les fraix de Justice Le tout Contant.

B^{te} Bargeon Demendeur Michel Chartier Deffendeur

Le demendeur poursuit Le deffendeur pour Le Loyer d'un terrin quil a occupé pour faire du tabac moyenant quinze Livres de tabac que Le deffendeur devoit remettre au Demendeur: et quil refuse de faire aujourdhuy.

Le deffendeur repond quayant Louer Le terrin Du Demendeur et y ayant mis du tabac, que quel que tems aprés Le demendeur a pris un homme chés Luy et que Son Cheval Luy a fait un tor Considerable Et que L'ayand [*sic*] d^{t} au demendeur il Luy auroit repondu qu'un cheval ne mange pas de tabac Le deffendeur dit que le demandeur ne devoit pas permettre a qui que se soit De mettre aucun animal dans un terrin des quil Le Loue.

Le demendeur repond qu'il a permis de mettre Le cheval de l'homme quil avoit chés Luy dans Le terrin Mais quil Luy avoit Deffendu de Le Lesser Livre.

La Cour a Condanner Le demendeur a payer Les fraix de Justice et a perdre Les quinze livres de tabac que le deffendeur Devoit Lui Livrer.

La Cour Est ajourné a Jeudy 1^{ie} fevrier

Jh lepage presidan

a une Cour du 1 fevrier 1781

Président Joseph Lapage	ant. armant
Ch Ducharme	philipe Jervais
J^{n} B^{te} Lacroix	fr. Courrié

present

J^{n} B^{te} Lacroix Demendeur Lefevre Deffendeur

Le demendeur poursuit Le Deffendeur pour une somme de trente trois Livres En pelleterie que le nomé Jan marie trotié Luy devoit Luy ayant repondu de Luy payer Comme ayant Ches Luy un peu de maÿs a luy appartenant.

Joseph Bissonette ayant parru a prété serment et a dit quil Etoit témoins Lorsque m^{r} Lefevre a promis de payer a m^{r} Lacroix

the latter at his house and to pay three months' board, lodging and washing for the said Tabeau at the rate of thirty-five *livres* a month, and to pay the costs of justice, all in money.

Bte. Bergeron, Plaintiff, *vs.* Michel Chartier, Defendant.

The plaintiff sues the defendant for the rent for land, which he occupied for the cultivation of tobacco. The rent, which the defendant was to pay the plaintiff, was fifteen pounds of tobacco, which he refuses to pay to-day.

The defendant answers that some time after he had rented the land of the plaintiff and had set out his tobacco, the plaintiff brought into his own house a man, whose horse had done the plants considerable damage; and when he told the plaintiff about it, the latter had answered that a horse did not eat tobacco. The defendant says that the plaintiff ought not to permit any one to put an animal in a field after he rents it.

The plaintiff answers that he permitted the man, who was at his house, to put his horse in the field; but that he had forbidden him to let it loose.

The Court condemned the plaintiff to pay the costs of justice and to lose the fifteen pounds of tobacco, which the defendant was to pay.

The Court adjourned to Thursday, February 1.

Jos. Lepage, President.

At a Court, February 1, 1781.

President, Joseph Lepage.	Ant. Harmand.
Ch. DuCharme.	Philippe Gervais.
Jean Bte. LaCroix.	Fr. Courier

Present.

Jean Bte. LaCroix, Plaintiff, *vs.* Lefevre, Defendant.

The plaintiff sues the defendant for a sum of thirty-three *livres* in peltries, which the named Jean Marie Trottier owed him, and for the payment of which the defendant was responsible, since he had at his house some corn belonging to the said Trottier.

Joseph Bissonette appeared and made oath. He said that he was a witness, when M. Lefevre promised to pay M. LaCroix

trente trois Livres en pelleterie que J^n^ marie trotier Luy devoit Ce a quoi M^r^ Lefevre a consenti, moyenant que Le maÿs quil avoit ches Luy aud^t^ trotier Luy resteroit.

La Cour a Condanné Le Sieur Lefevre a payer au Sieur Lacroix trente trois Livres en pelleterie Comme il paroit quil a repondu de Le faire par Le témonis qui a preté Serment et a garder Le maÿs qui peut Luy rester apartenant aud^t^ feu trotier et a payer Les fraix.

La Cour Est ajourné au 8 du Cour^t^

f. saucier gr Jh Lepage P

A une Cour du 8 mars 1781.

Président. Ch. Ducharme Clement Langlois

J^h^ Lepage Present

Demendeur J^n^ B^te^ Lacroix

Le Demendeur présente En cour un Billet de feu Jean B^te^ amellin de La somme de Cinq Cent une Livre qui Lui est Due, Et Demende quil Soit fait une vante Des Effest Dud^t^ feu amellin pour Satisfaire a Se quil Luy Est Du.

La Cour a accordé quil Soit fait une vente par Encan public des Effest dud^t^ feu amellin pour Satisfaire a Ses Déptes, aux illinois Et par privilége a Ce qui peut Etre Due au Demandeur pour pension et fourniture quil Luy a fait Et que Lad^tte^ Vente Soit faitte Dimanche 11 Du présent, Et ont a Cette Effest Ellu La personne de M^r^ J^n^ B^te^ Lacroix pour Gerer et regler Les Compte Dud^t^ feu amelin, Et Lobligeon de De [*sic*] rendre Compte de Lad^te^ Succesion Lorsquil En Sera requis.

fr. saucier DuCharme présd.

a une Cour du 29 mars 1781.

President, Jos^h^ Lepage ant Armant

Charle Ducharme J^n^ B^te^ Lacroix

Pres

M Laurant Duroché presente a la Cour un Billet de huit Cent Soixante Et Douze Livres en pellterie a L'ordre de M^r^

[1] Hamelin was undoubtedly the J. Bte. Hamelin who led the expedition against St. Joseph in the fall of 1780.—*Introduction*, p. xcii.

thirty-three *livres* in peltries which Jean Marie Trottier owed the latter, provided the corn at his house, belonging to the said Trottier, remained his.

The Court condemned M. Lefevre to pay M. LaCroix thirty-three *livres* in peltries, which he had become responsible for doing, as appears from the testimony of the witness, who has made oath; and to keep the corn, belonging to the late Trottier, which might be left and to pay the costs.

The Court adjourned to the 8th of the present month.

F. Saucier, Jos. Lepage, President.

At a Court, March 8, 1781.

President, Ch. DuCharme. Clement Langlois.

Jos. Lepage. Present.

Jean Bte. LaCroix, Plaintiff.

The plaintiff presents in Court a note of the late Jean Bte, Hamelin for the sum of five hundred and one *livres*, which is due him; and prays that there be made a sale of the goods of the said late Hamelin to satisfy what is due him.[1]

The Court granted that there be held a sale by public auction of the goods of the late Hamelin to satisfy his debts in Illinois, and by preference what may be due the plaintiff for board and lodging, and supplies which he has furnished him, and decreed that the said sale be made Sunday, the 11th of the present month. For this purpose they have elected M. Jean Bte. Lacroix to carry out the sale and to settle the accounts of the said late Hamelin; and we bind him to render account of the said estate, when it shall be required.

Fr. Saucier. Ducharme, President.

At a Court, March 29, 1781.

President, Jos. Lepage. Ant. Harmand.

Charles Ducharme Jean Bte. LaCroix.

Present.

M. Laurent Durocher[2] presents in Court a note for eight hundred and seventy-two *livres* in peltries drawn to the order of M. Cerré and owed by the late Jean Bte. Hamelin, and

[2] Laurent du Rocher was a merchant in St. Louis.

Cerré Due Par feu Jean B^te^ amellin Et demande que Led^t^ Billet Luy Soit Payé par La Succession dud^t^ feu amellin.

La Cour a accordé au Demendeur quil Luy soit remis par J^n^ B^te^ Lacroix Le reste de ce que pouroit se trouver Due a feu J^n^ B^te^ amellin aprés lavoir[1] et payé que cera Endocé Sur Son billet comme il a Eté accordé par La Cour.

ant. armant présente a la Cour un Billet de Cent Cinquante Livres en pelleterie qui Luy son due par Jaques Vasseur, et Demande quil Luy Soit permis de faire Vendre Ses Effest pour Satisfaire a Son d^t^ Billet.

La Cour accordé quil Soit fait une vente par Encan Public pour Satisfaire a Ses Deptes au illinois. Et que Le reste Si il y a Soit remis Entre Les mains du Cherif, pour Etre remis a qui il appartiendra.

fr saucier Greffier Jh lepage présidan

a une Cour du 19 avril 1781.

Président Ch Ducharme Clem^t^ Langlois
ant armant phi Gervais
Jos^h^ Lepage fr Courier

Présent

Nicolas boimenu Demendeur contre La Succession de J^n^ B^te^ amellin

La Demendeur demande a la Cour que m^r^ B^te^ Lacroix chargé des affaires de B^te^ amellin quil Luy soit payé douze pot de tafia que led^t^ feu amellin Luy doit En Echange d'un Cheval quil a fait avec Le demendeur en allant a S^t^ Joseph.

Les nommé ignace et Saint michel ont parru Et ont pretté Serment quils Etoient témoins Lorsqu'amellin a fait Le d^t^ Echange En alant a S^t^ Joseph Et quil devoit donner icy Les dits Douze pot de tafia a boimenu.

La Cour a ordonné a M^r^ Lacroix Chargé Des affaires de B^te^ amellin de remettre a nicolas Boimenu onze pot de tafia quil a reconnu devoir aud^t^ feu amellin et aux Cas quil Survienne

[1] The "*après lavoir*" was inserted by the clerk, who made the mistake of placing the sign of insertion before instead of after the "*et.*"

prays that the note be paid by the estate of the late Hamelin aforesaid.

The Court granted to the plaintiff that there be given him by Jean Bte. Lacroix the balance that is due the late Jean Bte. Hamelin and ordered that after having paid[1] it there shall be endorsed on his note that it was granted by the Court.

Ant. Harmand presents in Court a note for one hundred and fifty *livres* in peltries, which are due him by Jacques Vasseur, and prays that he be permitted to have the latter's effects sold to satisfy his note.

The Court granted that there be made a sale of his effects by public auction to satisfy his debts in the Illinois; and that the balance, if any, be deposited in the hands of the sheriff to be delivered to whomever it belongs.

Fr. Saucier, Clerk. Jos. Lepage, President.

At a Court, April 19, 1781.

President, Ch. Ducharme. Clem. Langlois.
Ant. Harmand. Ph. Gervais.
Jos. Lepage. Fr. Courier.

Present.

Nicolas Boismenu, Plaintiff,

vs. the Estate of Jean Bte. Hamelin.

The plaintiff prays the Court that M. Bte. Lacroix, in charge of the estate of Bte. Hamelin, pay to him a dozen jugs of tafia, which the said late Hamelin owed him in exchange for a horse, which exchange was made with the plaintiff while they were going to St. Joseph.

The named Ignace and Saint Michel appeared and made oath that they were witnesses when Hamelin made the said exchange on the way to St. Joseph, and they said that he was to give the said dozen jugs of tafia to Boismenu here.

The Court ordered M. Lacroix, trustee of the estate of Bte. Hamelin, to deliver to Nicolas Boismenu eleven jugs of tafia, which have been acknowledged to be due from the said late Hamelin, and in case there remains anything of the estate of the late

quelque Chause a la Succession de feu amellin Led^{t} S^{r} Lacroix Sera obligé de tenir Compte aud^{t} boimenue de Lautre pot de tafia qui Luy reste etre du.

Ducharme presd

a une Cour du 23 avril 1780 [*sic*].

Président Ch. Ducharme	Clement Langlois
Jos^{h} Lepage	fr. Courrier
B^{te} Lacroix	philipe Jervais
ant. armant	Present

La Cour Etant assemblé pour Examiner une requette présenté par Les habitant Des Cahôs Contre mons^{r} Girrandin pour Les terre quil conséde Et Le tor que cela fait au village Et demande quil Soit Deffendu aud^{t} Sieur Girardin de passer outre n'ayant aucun Droit de former un village et de Conseder Des terres qui ont Eté reservé pour Ce village ou de produire Les droits quil a de faire Le tor quil Causera par La Suitte a ce village En agissant comme il fait.

La Court apprés avoir Examiné Les plaintes porté En La requette Contre m^{r} Girardin De la part Des habitant il a Eté accordé que La ditte requette Et Santance Si dessus Sera Sinifié a M^{r} Girardin, quil aye a produire Le droit quil a de Conseder et former un village par La Suitte a la prairié du pon Et a deffaut de preuve Suffisante il Luy est Deffendu de Conseder auq'une terre ni de former auqu'n Etablissement que pour Son utillité a Luy propre Comme Grange Engar ou maison.

Du Charme presd

a une même Court du 23 D'avril il a Eté présenté un Compte par Louis Gauts il a Et [*sic*] ordonné au Sieur B^{te} LaCroix de Luy payer soixante neuf Livres dix Sols quil Luy Est du par B^{te} amelin Et qui a Eté Deja présente Si devant.

DuCharme presd

[1] Antoine Girardin bought in 1764 the plantation, a seigniory it was called, from the mission of St. Sulpice. This was situated at Prairie du Pont, where the missionaries had built a mill. Reynolds, in his *Pioneer History*, 48 and 54, says that the village of Prairie du Pont was established in 1760. There could have been at that time little more than a settlement of the work-

Hamelin, the said M. Lacroix shall be obliged to render account to the said Boismenu for the other jug of tafia, which remains due to him.

DuCharme, President.

At a Court, April 23, 1780.

President, Ch. DuCharme.	Clement Langlois
Jos. Lepage.	Fr. Courier.
Bte. LaCroix.	Philippe Gervais.
Ant. Harmand.	Present.

The Court assembled to examine a petition presented by the inhabitants of Cahokia against M. Girardin on account of the land, which he is conceding, and the injury, which that does the village; and they demand that M. Girardin be forbidden to continue, since he has no right to form a village and to concede lands, which have been reserved for this village, or that he show what right he has to do the village this injury which he will cause as a consequence of his present actions.

The Court, after examining the complaints made in the petition against M. Girardin on the part of the inhabitants, granted that the said petition and above decree shall be served on M. Girardin, that he show what right he has to concede land and form a village subsequently at the Prairie du Pont; and in default of sufficient proof it is forbidden him to concede any land or form any establishment other than is for his own use as barn, shed or house.[1]

DuCharme, President.

At the same Court April 23, there has been presented an account by Louis Gaud; and M. Bte. LaCroix was ordered to pay him sixty-nine *livres* ten *sols*, which are due him by Bte. Hamelin, and which account has been presented before.

DuCharme, President.

ingmen on the plantation of the mission. The above record and others in this volume show that during this period the land of the village was taken up by the inhabitants of Cahokia. Pp. 153, 159, 565, 591.

a une Cour du 17 May. 1781.

Président Ch. Ducharme — ant. armant
B^te^ Lacroix — Clem^t^ Langlois
ph^le^ Gervais — Jos^h^ Lepage
present

JEAN LAPENCE Demendeur Jos^h^ PELLETIÉ Deffendeur

Le demendeur poursuit Le Deffendeur pour Six Jeux. de ray qui Luy a pris Dans Le bois de la grand cheniere Et Comme Les ditte ray ont eté trouvé ches Le deffendeur, Le demendeur demande quelle Luy Soit rendu ou payé Suivant Lestimation qui en Sera faitte par Des ouvrié.

Le déffendeur declare quil est vray quil a pris de quoy Si faire une paire de roux Et que Le nomé Lemé En a pris aussi Sans Savoir La quantité.

Le nomé Lemé ayant paru a deClaré En avoir pris une vintenne.

La Cour a Condanné Les nomé Lemé Et pelletié a rendre ou a payer La quantité de ray que Le Demendeur Declare Luy avoir Etépris par part Egalle ainsi que Les fraix.

m^r^ BILLELE Demendeur NEVEUX Defendeur

Le demendeur poursuit Le deffendeur pour une Somme de Cent Soixante neuf Livres en pelleterie que Le defendeur reste Luy Devoir par Son Billet que Le demendeur a produit a La Cour.

a une même Cour Le Sieur Clement Langlois a présenter un autre Billet de Cent Livre de Castor due par Le même.

La Cour ayant Su que le Deffendeur a En sa possession un Cheval et quelque pourceau il a Eté Condanné a payé Les deux billet que vienne D'Etre présenté Et a Eté accordé aud^t^ Demendeur une Saisi Sur tout se que peut appartenir aud^t^ neveux, pour Etre vendu, au deffaut de payement.

La Cour Est ajourné a Jeudy 7 Juin.

DuCharme presd.

At a Court, May 17, 1781.

President, Ch. DuCharme.	Ant. Harmand.
Bte. LaCroix.	Clement Langlois.
Phil. Gervais.	Jos. Lepage.

Present.

Jean Lapancé, Plaintiff, vs. Jos. Pelletier, Defendant.

The plaintiff sues the defendant for six sets [?] of spokes, which he had taken in the woods of the Big Mushrooms; and, since the said spokes have been found at the defendant's house, the plaintiff demands that they be returned to him, or paid for, according to an appraisement, which shall be made by workmen.

The defendant declares that it is true that he took some to make a pair of wheels and that the named Lemay took some also without knowing the quantity.[1]

The named Lemay appeared and declared that he took a score.

The Court condemned the named Lemay and Pelletier to return the spokes or to pay in equal parts for the quantity, which the plaintiff declares to have been taken, and to share the costs.

M. Billele, Plaintiff vs. Neveux, Defendant.

The plaintiff sues the defendant for a sum or one hundred and sixty-nine *livres* in peltries, which the defendant still owes on his note, which the plaintiff produced in Court.

At the same Court M. Clement Langlois presented another note for one hundred pounds of beaver skins due by the same.

Since the Court knows that the defendant has in his possession a horse and some pigs, he has been condemned to pay the two notes, which have just been presented; and there has been granted the plaintiff a seizure on all the possessions of the said Neveux, which are to be sold in default of payment.

The Court adjourned to Thursday, June 7.

DuCharme, President

[1] To make wheels for a *tombré*.

a une Cour du 31 May 1781.

Président Ch. Ducharme — fr. Courier
J^n Lepage — ant. amant
B^te Lacroix — phile Jervais
cle^mt Langlois — present

La Cour Etant assemblé pour Demender a M^r Girardin

[*Page or pages missing.*]

19 Juin 1781.

F. Saucier Clark

Lepage III — Maud
Jervais IIII — Jan
Lamarch I
Granmon I
Dubuque I — Lan

19 Juine 1781.

Président Che Ducharme — ant. armant
B^te Lacroix — phil. Gervais
Clem^t Langlois — fr. Courié

Pres

La Cour Etant assemblé pour Prendre Les Serments de fidelité ainsi que d'ofice des Sieurs George Blin, raphael Gagné, Pierre Granmon Joseph Cecire Baptiste Saucier, Jean B^te Hubert Lacroix et Jean B^te Dubuc Comme ayant Eté nomé par une assemblé publique faitte Le dix de Ce mois en La maison de m^r fr. trottier Comd^t de ce village pour remplacé Les magistrat. ci devant nomé.

Les Suivant Juges mentioné ci desus par La derniere Elextion faits ont pris Le Serment de fidelité aux Etats ainsi que Celuy d'office de Juge de paix &c. Selon leurs liste.

a une Cour tenue pour Le district des Cahokia du village des Cahokia Le 19 Juin mil Sept Cent quatrevingt un.

a ordonné que fr. Saucier Soit apointé clark de cette Cour.

Francois Saucier a pris le Serment de fidelité Et doffice et a pris Sa place en qualite de Clark.

[1] When first seen, the *Record* had fallen to pieces and some of the pages were lost. With the exception of the few pages at the beginning and these few pages here, the record is complete.

At a Court, May 31, 1781.

President, Ch. DuCharme. Fr. Courier.
Jos. Lepage. Ant. Harmand.
Bte. LaCroix. Phil. Gervais.
Clem. Langlois. Present.

The Court assembled to demand from M. Girardin[1]

[*Page or pages missing.*]

June 19, 1781[2]

F. Saucier, Clerk.

Lepage III Maud
Gervais IIII Jan
Lamarche I
Grandmont I
Dubuque I The year.

June 19, 1781.

President, Ch. Ducharme. Ant. Harmand.
Bte. LaCroix. Phil. Jervais.
Clem. Langlois. Fr. Courier.
Present.

The Court assembled to receive the oaths of fidelity as well as those of office from MM. George Blin, Raphael Gagné, Pierre Grandmont, Joseph Cesirre, Baptiste Saucier, Jean Bte. Hubert LaCroix and Jean Bte. Dubuque, who have been elected by public assembly held the tenth of this month in the house of M. Fr. Trottier, commandant of this village, to replace the magistrates named above.

The following judges, mentioned above and made by the last election, have taken the oath of fidelity to the States as well as that of office of justices of the peace etc. according to their list.

At a Court held for the district of Cahokia in the village of Cahokia, June 19, 1781.

It was ordered that Fr. Saucier be appointed clerk of this Court.

[2] This entry is given a whole page. Is it a ballot sheet? Ballot sheets at Kaskaskia were more elaborate than this, but even there the number of voters was very small, in 1781 only twenty-seven and in the next year only twenty-one.

nicolas Chabot a pris le Serment de fidelité Et doffice et a pris Sa place en qualite de Cherif pour Le distric de Ce village.

Jean B^te^ Bargeon ayant dit a S^t^ Louis. quil devoit partir dicy pour aller a michilimakin[a] avec quelquantre Suivant Comme il a Eté rap[orté] icy. B^te^ Bargeon ayant paru a dit quil pouvoit avoir Dit quelque chose a Ce Sujet mais que Ce netoit quen Badinan avec quelqu'n de Ses amis.

vue Le tems et La Sirconstance present La cour a ordonné que B^te^ Bargeon Seroit mis En prison Vingt quatre heure pour Cette fois Et a Lavenir Si il tenoit quelque disCour pareille il Sera puni Sevérement Et a Ete aussi Condanné a tous fraix Et Depanc.

a La Demande de m^r^ fr. trottier au nom du public Les Sieurs Langlois et mechante ont eté Condanné a produire Chaq'un un Cotion, qui repondron Deux Corps pour Corps Le tens qui Seront icy.

La Cour a ordonné que Led^t^ Langlois Et mechante oront Le fort pour prison Et a Eux deffendu de Sabsenter Sans permission du Comd^t^ de ce village, Led^t^ mechante a produit pour Son Cotion La personne de m^r^ Louis Lecomte, et Led^t^ Langlois La personne de m^r^ ant. armant qui durera Jusqua nouvelle ordre.

La Cour est adjourné Jeudy Le 5 Juillet.

fr. Saucier clark — G. Blin Présidant.

a une Cour du 21 Juin 1781.

Pres^d^ Geo. Blin	B^te^ Saucier
raph[1] Gagné	B^te^ Lacroix
Pierre Granmon	B^te^ Dubuque
Jos^h^ Cecire	Présent

M^r^ fr. trottier ayant fait assemblé La Cour Et a porté Des plainte Contre Le nomé B^te^ Bargeon ayant Eté Condanné par Lad^te^ Cour a vingt quatre heure de prison pour des propôs tenu

[1] Since Michillimackinac was in British territory, such talk was treasonable, particularly s British agents were at the time in St. Louis attempting to raise troops in the French villages. See next note.

[2] These men were agents of the British government sent here to raise troops and to detach the French from their allegiance. They had gone first to St. Louis, where they were arrested

François Saucier took the oath of fidelity and of office and took his place as clerk.

Nicolas Chabot took the oath of fidelity and of office and took his place as sheriff for the district of this village.

Jean Bte. Bergeron is reported to have said at St. Louis that he ought to set out from here to go to Michillimackinac with some one. Bte. Bergeron appeared and said that he might have said something on that subject; but that it was only in joke with some one of his friends.[1]

In view of the times and the present circumstances, the Court decreed that Bte. Bergeron should be imprisoned twenty-four hours for this time, and in the future, if he makes similar speeches, he will be severely punished; and he was also condemned to pay all costs and expenses.

On the demand of M. Fr. Trottier in the name of the public MM. Langlois and Mechante were condemned to find bondsmen, who will be personally answerable for them during the time they shall be here.[2]

The Court ordered that the said Langlois and Mechante shall have the fort for a prison and forbade them to absent themselves without the permission of the commandant of this village. The said Mechante offered for his bondsman the person of M. Louis Lecompte and the said Langlois the person of M. Ant. Harmand, who shall continue to act until new orders.

The Court adjourned to Thursday, July 5.

Fr. Saucier, Clerk. G. Blin, President.

At a Court, June 21, 1781.

President, Geo. Blin.	Bte. Saucier.
Raph. Gagné.	Bte. LaCroix.
Pierre Grandmont.	Bte. Dubuque.
Jos. Cesirre.	Present.

M. Fr. Trottier assembled the Court and brought complaint against the named Bte. Bergeron, who was condemned by the said Court to twenty-four hours' imprisonment for his idle talk, be-

by the Spanish commandant and a letter addressed to the Illinois French was found on them. The Spanish commandant made a report of the event to the American commandant, but permitted two of the agents under the indicated conditions to go to Cahokia. A short time after this Harmand asked the court to be released from his bond, and Antoine Girardin took his place. For particulars, see pp. 553, 557, 559, and *Introduction*, p. cv.

par Led^{t} Bargeon, et que L'ayant volu faire Conduire dans Lad^{te} prison Led^{t} Bargeon auroit Desobei au ordre qui ont Eté Donné a ce Sujet, Et Luy auroit manqué particule^{mt} Et en Consequence a demandé a La Cour que Led^{t} Bargeon Son [*sic*] puni plus severement quil n'avoit Eté Condanné.

La Cour a Condanné Led^{t} Bargeon a quinze Jour de prison, A La Consideration de m^{r} trotier. qui Le trouve assé puni aprés Ce tems Et a payer Les fraix tant de justice que Denprisonnement. Et Ce avant de Sortir de prison Sous peine dy rester plus longtems.

La Cour Est ajourné au 5 de Juillet.

fr saucier Grf. G Blin

a une Cour du 24 Juin 1781.

George Blin — Bap^{te} Saucier
Raphaël Gagnier — Bap^{te} LaCroix
Pierre Granmon — Bap^{te} Dubuque
Joseph Cessire — President. [*sic*]

une requêtte presentée a la Cour par francois xavier lapensée dattée de ce Jour aux fins de luy permettre une assemblée de Parens et d'amis pour luy nommer un Curateur pour prendre Ses Interets Causes et actions &c.

à Eté apointé Lad^{te} requete quil Soit fait suivant sa Demande Les Jour et an que de l' autre part.

Pierre Prevost ayant parû a prêté serment sur Le Saint Evangille tout puissant de se Comporter vrayement et fidelement dans tous ces Ecrits tant en Cour qu'ailleurs Concernant La Succession de feu mad^{e} LaPensée en Sa qualité de greffier Commis.

La Cour Est ajournée à Jeudy prochain Cinq Juillet.

G. Blin.

[1] After reaching his majority a young man might receive a curator, who did not manage the estate for him, but did give him assistance in law-suits, in the settlement of his account with the guardian and in other matters.—Viollet, *Hist. du droit civil Français*, 591.

cause, when he wished to have him conducted to the said prison, the said Bergeron disobeyed the orders, which were given on this subject, and had insulted him in particular; and in consequence he prayed the Court that the said Bergeron be punished more severely than he had been condemned.

The Court condemned the said Bergeron to two weeks' imprisonment, out of consideration for M. Trottier, who thinks he will be sufficiently punished after this time, and to pay the cost both of justice and imprisonment before leaving prison, under penalty of remaining there a longer time.

The Court adjourned to July 5.

Fr. Saucier, Clerk. G. Blin.

At a Court, June 24, 1781.

President, George Blin.	Bte. Saucier.
Raphael Gagné.	Bte. LaCroix.
Pierre Grandmont.	Bte. Dubuque.

Joseph Cesirre Present.

A petition presented to the Court by François Xavier Lapancé, dated this day, praying that it be permitted him to hold an assembly of relatives and friends to name a curator to take care of his interests, causes and actions etc.[1]

The said petition was referred that it may be done according to his prayer, this day and year as on the other part.[2]

Pierre Prevost appeared and made oath on the Almighty Holy Gospels to conduct himself truly and faithfully in all these writings, as well in court as elsewhere, concerning the estate of the late Madam Lapancé in his character of deputy clerk.

The Court adjourned to Thursday following, July 5.

G. Blin.

[2]This expression, "*l'autre part*" refers to the side of the sheet of paper on which the petition to the court was written, the decision of the court being written either below or on the reverse of the sheet.

a une C^{t} du 5 Juillet.

President. G Blin	B^{te} Saucier
raphael Gagné	B^{te} Dubuc
pierre Granmon	B^{te} Lacroix
Jos^{h} Cecire	Présent

Demendeur AUGUST RACETTE Deffendeur JOSEPH VAUDRY

La Cour Etant assemblé Et ayant Siegé Jusqu'a neuf heure passé, Et aprés avoir fait apeller Le demendeur par Le Cherif par trois fois Different Et nayant point paru a renvoyé Le d^{t} proces a La Cour prochaine et Le demendeur a payer tous Les frais de Celle cy. La Cour Est ajourné a Jeudy 2. aout.

fr saucier Clark. G. Blin

une Cour du 2 aout 1781.

Pres^{t} Geo. Blin.	B^{te} saucier
rap. Gagné	B^{te} Lacroix
p^{re} Granmon	B^{te} Dubuc
Jos. Cecire	Présent

Demendeur J^{n} B^{te} LACROIX Deffendeur ISAAC LÉVY

Le demendeur poursuit Le deffendeur pour Le remboursement d'une Somme de cen quarante neuf livres cinq sols en pelleterie par un Billet quil a Consenti a fr. Ivont pour reste de Ses gages et que Son Commis. m^{r} Lerou a acquitté a Michelimaquina et Dont Le demendeur produit Des preuves.

Joseph Clermont ayant paru et apres avoir prété Serment Sur Le S^{t} Evangille de Dieu tout puissant a dit quil a eté Jusqua michelimaquina avec Le canot du demendeur Et quen arivant il a Eté témoin que Led^{t} Billet Si mentioné a Eté payé par Le Commis du demendeur et que cest une negligence de Son Commis de ne l'avoir pas retirer.

Sur Le témoignage que Joseph Clermont Donne que Led^{t} Billet a Eté payé par Le Commis dud^{t} Demendeur, que Le defendeur soit Condanné a renbourser au demendeur Le montant du Susd^{t} Billet.

m^{r} fr. trottier demande a la Cour que tous Les Effest que Sont ches ch^{le} Lefevre appartent^{t} a Jean marie trottier soit vendu pour Luy payer une Somme que led^{t} trottier Luy Doit, La Cour

At a Court, July 5.

President, G. Blin.	Bte. Saucier.
Raphael Gagné.	Bte. Dubuque.
Pierre Grandmont.	Bte. LaCroix.
Jos. Cesirre.	Present.

AUGUST RACETTE, Plaintiff, *vs.* JOSEPH VAUDRY, Defendant.

The Court assembled and sat till past nine o'clock, and after summoning the plaintiff by the sheriff three different times and when he did not appear, postponed the hearing of the said suit till next Court, and condemned the plaintiff to pay all the costs of this session. The Court adjourned to Thursday, August 2.

Fr. Saucier, Clerk. G. Blin.

At a Court, August 2, 1781.

President, Geo. Blin.	Bte. Saucier.
Raph. Gagné.	Bte. LaCroix.
Pierre Grandmont.	Bte. Dubuque.
Jos. Cesirre.	Present.

JEAN BTE. LACROIX, Plaintiff, *vs.* ISAAC LEVY, Defendant.

The plaintiff sues the defendant for the repayment of a sum of one hundred and forty-nine *livres* and five *sols* in peltries for a note which he drew to the order of Fr. Ivont for the balance of his wages and which the plaintiff's clerk, M. Lerou, paid at Michillimackinac, of which the plaintiff produces proof.

Joseph Clermont appeared and, after having made oath on the Holy Gospels of Almighty God, said that he went up to Michillimackinac with the plaintiff's canoe and that on arriving he was witness that the said note was paid by the plaintiff's clerk and that it is negligence on the part of his clerk not to have withdrawn it.

On the testimony which Joseph Clermont gives that the said note was paid by the said plaintiff's clerk, the defendant is condemned to repay to the plaintiff the amount of the note aforesaid.

M. Fr. Trottier prays that all the goods belonging to Jean Marie Trottier, which are at the house of M. Lefevre, be sold to pay him a sum, which the said Trottier owes him. The Court decreed that Charles Lefevre shall deliver under oath all the

a ordonné que Charle Lefevre remettra Sous Serment tous Les Effest que Sont Ches Luy apartenant aud^{t} J$^{n.}$ M^{e} trottier pour Etre vendu pour Satisfaire a Ses debtes.

Demendeur AT ARMANT defendeur Jos^{h} CECIRE

Le demendeur poursuit Le deffendeur pour un payement quil Luy a fait en pelleterie, disant quayant eté ches Luy cherché Lad^{te} pelleterie quil Luy auroit Demendé Si La pelleterie etoit Bonne que Le deffendeur Luy avoit dit quil L'avoit recue pour Bonne.

Le deffendeur dit quil est vray quil a dit au demendeur quil avoit reçue La ditte pelleterie pour Bonne, et quil en pouvoit faire faire La recette et que Si elle ne valoit rien de Luy renvoyer mais que Le demendeur L'ayant gardé six Jour; et quil ne vouloit plus La reprendre.

La Cour a Condanné Le demendeur a garder Le payement que Le deffendeur Luy a fait pour ne Lavoir pas renvoyé sur Le Champ puis quil nen netoit pas Contant et a payer Les fraix.

La Cour Est ajourné a 6^{ie} 7^{bre}.

f saucier Gf G Blin

une Cour du 21 aoust 1781.

Président G. Blin	Jo^{h} Cecire
raphaël. Gagné	B^{te} Dubuc
p. Granmon	B^{te} Saucier

présent

une requette présenté en Cour par Louis Clermont demendant quil Luy Soit permis un assemblé de parens et d'amis pour La nomination d'un Curateur.

La Cour a accordé a Louis Clermont ses demendes. La Cour Est ajourné a Jeudy 6^{ie} de Septembre.

G Blin

effects belonging to the said Jean Marie Trottier, which are at his house, in order that they be sold to satisfy his debts.

ANT. HARMAND Plaintiff, *vs.* JOS. CESIRRE, Defendant.

The plaintiff sues the defendant for a payment, which the latter made him in peltries. The plaintiff says that when he was at the defendant's house to get the said peltries, he asked the defendant, if the peltries were of good quality, and that he answered that he had received them for good ones.

The defendant says that it is true that he said to the plaintiff that he had received them for peltries of good quality and that he might have the receipt made for them, and if they were not worth anything, to send them back to him; but the plaintiff kept them six days and he no longer wished to take them back.

The Court condemned the plaintiff to keep the payment which the defendant made him, because he did not send the peltries back immediately, since he was not content with them, and to pay the costs.

The Court adjourned to September 6.

F. Saucier, Clerk. G. Blin.

At a Court, August 21, 1781.

President, G. Blin.	Jos. Cesirre.
Raphaiel Gagné	Bte. Dubuque.
Pierre Grandmont.	Bte. Saucier.

Present.

A petition presented in Court by Louis Clermont praying that he be permitted to hold an assembly of relatives and friends for the nomination of a curator.

The Court granted Louis Clermont his request. The Court adjourned to Thursday, September 6.

G. Blin.

a une Cour du 20 7bre 1781.

Presidant G. Blin — pierre Granmon
Bte Lacroix — Bte Saucier
Pres.

Demendeur M. DELINCTOT Defendeur JOSEPH MAISONVILLE

Le demendeur poursuit Le deffendeur pour une Jument quil dit avoir acheté au pé point Etenpé, Et que le deffendeur reclame a Luy Layant pris ches mr Janis a qui Le Demendeur L'avoit changé.

Le deffendeur repond que La Jument que Le demendeur reclame Luy appartien Comme Layant amené Du poste Et que Laditte Jument Luy a Eté volé au petit village par Les Sauvage Et a produit plusieurs Sertificat comme Ladtte Jument Luy appartient, Et offre Encore de produire D'autre preuve tant Des Jens du poste que Ceux des Cas.

La Cour a renvoyé Les dittes partis a faire Dessider Leur Causes au Cas vue que Laditte Jument y est Et quil peuvent produire de plus grande pour terminer Leur differens.

La Cour Est ajourné au 4ie 8bre 1781.

f saucier Greff. — G. Blin.

a une Cour du 18. 8bre 1781.

President. Jn Bte Lacroix — raphele Gagné
Jn Bte Dubuque — pierre Granmon
Prest

Demendeur JOSEPH ASSELIN Deffendeur PIERRE DURBOIS

Le Demendeur poursuit Le defandeur pour une Jumint quil luy avoit remis En avance Sur Les Gages quil Etoit Convenu de Luy Donner pour decendre a la Nlle orleans, Et Comme Ledt demendeur Se trouve dans le Cas de ne point tenir Son Engagement il reclame La ditte Jument que ledt Deffendeur pretens Garder pour Dedomagement Sauf a Etre Condanné par La Cour a Luy en payer un.

[1] Godefroy Linctot was, I think, a Cahokian Frenchman. He raised the first company for Clark among the inhabitants of that village. When Clark was expecting to attack Detroit Major Linctot was sent by way of the Illinois River. He was at the time Indian commissioner for the region of that river. He was later regularly employed as commissioner by the state of Virginia and his knowledge of the Indian languages made him a very useful officer. There is a letter from him to Clark printed on page 553. Before the end of the war he was killed. —*Va. State Pap.* ii., 325, 405, 428; English, *Conquest of the Northwest*, i., 370.

At a Court, September 20, 1781.

President, G. Blin. Pierre Grandmont.
Bte. LaCroix Bte. Saucier.

Present.

M. DE LINCTOT,[1] Plaintiff, *vs.* JOSEPH MAISONVILLE, Defendant.

The plaintiff sues the defendant for a mare, which he says he bought unbranded at Peoria, and which the defendant claims and has taken at the house of M. Janis with whom the plaintiff had exchanged her.

The defendant answers that the mare, which the plaintiff claims, belongs to him, as he brought it from the Post;[2] and that the said mare was stolen from him at the Little Village[3] by the savages; and he produced several certificates that the said mare belongs to him, and offers to produce other proof both from people of the Post and of Kaskaskia.

The Court dismissed the said parties to have their cause decided at Kaskaskia seeing that the mare is there and they can produce greater [proof] to terminate their differences.

The Court adjourned to October 4, 1781.

F. Saucier, clerk. G. Blin.

At a Court, October 8, 1781.

President, Jean Bte. LaCroix. Raphael Gagné.
Jean Bte. Dubuque. Pierre Grandmont.

Present.

JOSEPH ASSELIN, Plaintiff, *vs.* PIERRE DUBOIS, Defendant.

The plaintiff sues the defendant for a mare, which he had advanced on the wages, which he agreed to give the defendant for going down to New Orleans; and since the said plaintiff finds it impossible to keep his engagement, he reclaims the said mare, which the said defendant pretends to keep for damages; unless he is condemned by the Court to pay the defendant one for damages.

The defendant answers by a petition that the plaintiff did a considerable injury to him in failing to keep his engagement,

[2] Vincennes.

[3] St. Philippe.

Le deffendeur repond par une requette que Ledit Demendeur Luy fait un tor considerable de manquer a Ses Engagement vue quil auroit pu Sengager a d'autre, et que Laditte Jument quil La recue En avance Luy reste pour Dedomagement.

Le Sieur ant. Girardin Demendeur pour Jos^{h} asselin, demende a la Cour de renvoyer Le dit procés a La Cour prochaine, pour que Le dit asselin paroisse Luy même.

La Cour a ordonné que Le Susdit procés Soit renvoyé a la Cour prochaine.

Le Sieur ant. armant Demende a La Cour de ce dechargé du Cotionnement quil a Donné pour Le nomé Langlois, nayant point Eu un terme fixé.

La Cour a Dechargé Led^{t} Sieur armant Dud^{t} Cotionnement Et a remis a M^{r} trotier Led^{t} Langlois pour En faire ce que Bon Luy Semblera.

fr. saucier Clark J B H LaCroix

a une Cour 25. octobre 1781.

Président J^{n} B^{te} Lacroix raphele Gagné
pierre Granmon Jos^{h} Cecire
Present

Demendeur Jos^{h} ASSELIN Deffendeur PIERRE DURBOIS

Le demendeur poursuit Le deffendeur pour qui Luy donne des preuve du tor quil Luy a fait En ne tenant point Le marché quils avoit fait Ensemble de decendre a la n^{lle} orleans.

Le deffendeur repond quil a reffusé quarante piastre de M^{r}. Motart pour decendre a la N^{lle} orleans pour ne pas manquer a langement [*sic*] quil avoit fait avec Led^{t} demendeur.

La Court a Condanné Le deffendeur a rendre au demendeur La Jument quil Luy avoit Donné En avance. Et que Le Service quil a Eu de Laditte Jument passe pour Son dedomagement Et quil Sera Libre de Sangager a d'autre Si Bon Luy Senble Et au demendeur a payer tous Les fraix.

Demendeur J^{n} B^{te} LAURINS Deffendeur Jos^{h} DUBÉ

Le demendeur poursuit Le deffendeur pour une quantité de Six Cent Livres de farine quil Luy doit pour un cheval quil Luy

seeing that he would have been able to engage himself to another, and that the said mare, which he received in advance, should remain his as damages.

M. Ant. Girardin, plaintiff for Jos. Asselin, prays the Court to continue the said cause to the next Court in order that the said Asselin may appear himself.

The Court decreed that the above suit be continued to the next court.

M. Ant. Harmand prays the Court to release him from the bail-bond, which he gave for the named Langlois and which did not have a fixed term.

The Court released M. Harmand from the bail-bond and delivered the said Langlois to M. Trottier to do with him what shall seem to him best.

Fr. Saucier, Clerk. Jean Bte. Lacroix.

At a Court, October 25, 1781.

President, Jean Bte. Lacroix. Raphael Gagné
Pierre Grandmont. Jos. Cesirre.

Present.

Jos. Asselin, Plaintiff, *vs.* Pierre Dubois, Defendant.

The plaintiff sues the defendant, demanding that he give him proof of the injury that the plaintiff did him in not keeping the agreement, which they had made, to go down to New Orleans.

The defendant answers that he refused forty *piastres* to go to New Orleans, offered by M. Motard, in order to keep the engagement which he had made with the plaintiff.

The Court condemned the defendant to restore to the plaintiff the mare, which the latter had given him in advance, deciding that the service, which he had had from the said mare, would do for damages. The Court decreed that the plaintiff shall be free to engage himself to another, if he so desires, and condemned him to pay all the costs.

Jean Bte. Laurins Plaintiff Jos. Dubé Defendant

The plaintiff sues the defendant for six hundred pounds of flour, which the defendant owes the plaintiff for a horse the

a vendu Sur Laquelle ditte quantité Le demendeur En a recue cinquante Livres.

Le deffendeur repond quils Etoient Convenu avec Le demendeur de Six Cent Livres de farine ou Cent vingt Livres de paux de chevreuil au deffaut de farine.

Le demendeur produit trois témoins qui disent avoir Entendu dire au deffendeur quil devoit six cent Livres de farine pour un Cheval quil avoit acheté du demendeur.

nayant point de preuve ny l'un ni Lautre a produire La Cour Les a preté a Serment Et Setant refusé l'un a Leur Serment La Cour a renvoyé Le présent proses ne pouvant Les Condanner, Et ont Eté condanné Seulement Lun et L'autre a payer Les fraix.

Demendeur Josh PLANTE Deffendeur Josh VAUDRY

Le demendeur poursuit Le deffendeur disant que L'ayant Engagé pour chasser En decendant a la Nlle orleans, Et quand concequence il auroit vendu bien des chose quil Luy etoit tres utile maime Jusqua Son maÿs, Se qui Etoit dune grande recourse pour Luy, Et que presentement Le deffendeur Se dédit de Ses Conventions Se qui Luy fait un tor considerable Et demende que ledt deffendeur Soit Condanné a Luy payer un dedomagement.

Le deffendeur repond quil a averty Le demendeur La veille du Jour quil devoit partir quil ne Luy etoit pas possible de Continuer son voyage.

Le demendeur dit quil auroit demendé au Deffendeur Cinq Jour pour finir quelque petit ouvrage quil avoit a differante personne Et que dans Cette intervale il auroit demende au deffendeur Si il Etoit bien Sur de faire Le voyage quils etoit Convenu de faire a quoy il luy a tourjour repondu quil devoit ce croire Engagé et quil parteroit En Consequence il L'auroit renvoyé plusieurs ouvrage quil na pa pu finir, et a vendu ce quil avoit icy tant qu'en un Canot maÿs Sel et autre chose quil Luy Seroit aujourdhuy D'un grand Secour.

La Court a Condanner Le deffendeur a rembourser au demendeur Soixante Livres En Darée, pour dedomagement Et a payer Les fraix.

La Cour est ajourné a Jeudy 8. 9bre

f. saucier. Clark J B H LaCroix

latter sold him, of which said quantity the plaintiff has received fifty pounds.

The defendant answers that he had agreed with the plaintiff for six hundred pounds of flour or one hundred and twenty pounds of deer-skins, in default of flour.

The plaintiff produces three witnesses, who say that they heard the defendant say that he owed six hundred pounds of flour for a horse, which he had bought of the plaintiff.

Since neither has proof to offer, the Court put them to oath; and since each refused to take the other's oath, the Court dismissed the present cause, not being able to pass judgment, and both have been condemned only to pay the costs.

Jos. Plante, Plaintiff, *vs.* Jos. Vaudry, Defendant.

The plaintiff sues the defendant saying that the latter engaged him to hunt while going down to New Orleans, and that in consequence he had sold many of his goods, which were very useful to him, and even his corn, which was a great resource to him, and that now the defendant has backed out of his agreement, which does the plaintiff a considerable injury and he prays that the said defendant be condemned to pay him damages.

The defendant answers that he informed the plaintiff the evening before he was going to start that it was not possible for him to continue his journey.

The plaintiff says that he had asked the defendant for five days to finish some little jobs, which he had for different persons, and that during this interval he had asked the defendant, if he was very sure of making the journey which they had agreed to make, to which the latter always replied that he should consider himself engaged and that he would start. In consequence he had given up several jobs, which he could not finish, and sold what he had here as well as in a canoe, corn, salt and other things, which would be of great assistance to him to-day.

The Court condemned the defendant to reimburse the plaintiff sixty *livres* in kind for damages and to pay the costs.

The Court adjourned to Thursday, November 8.

F. Saucier, Clerk. J. B. H. Lacroix.

a une Cour du 5 9bre 1781.

Président G. Blin	B^te^ Dubuc
B^te^ Lacroix	pierre Granmon
B^te^ saucier	Present

Demendeur AUG^t^ ANGÉ Deffendeur CH^r^ GRATIOT

Le demendeur poursuit Le deffendeur pour Luy rendre Compte de ce que feu Dubois Luy doit Comme ayant Eu Ce qui a resté aprés La mort dud^t^ dubois.

Le deffendeur repond que Lorque L'on a Eté pour faire L'ancan de feu dubois qu'avec L'aprobation de M^r^ Joseph Lepage Juge de la Cour a retirer tous Les articles qui restoit de ce quil avoit vendu a feu dubois, et que le reste a Eté vendu Et dont La vente Doit Etre Entre les mains de M^r^ Ducharme Comme ayant Luy même faire faire La vente, Et demande a la Cour de Luy nomer un Jour, D'un autre Cour afin quil produise Les Compte quil a Contre Led^t^ Dubois, nayant point Ete prevenu de Cette affaire.

La Cour a accordé au S^r^ Charle Gratiot, de paroitre, a La Cour prochaine Jeudy 8^ie^ du cour^t^ affin quil produisse Ses Compte Suivant sa demande.

a une même Court il a Eté Deffendu a Loüis Lemé de Se retablir a La prairie du pont Luy ayant Deja Eté deffendu.

La Cour Est ajourné a Jeudy 8. 9bre

f. saucier. Clark G. Blin

a une Cour^t^ du 8. 9bre.

Prés^dt^ G. Blin	J. B^te^ Dubuc
J. B^te^ Lacroix	raph^el^ Gagné
p. Granmon	Jos^h^ Cecire
	Présent

Demendeur J. B^te^ LACROIX CHARLE LEFEVRE Deffendeur

Le demendeur poursuit Le deffendeur pour trois haChe quil Luy a donné a racomodé. Et que le deffendeur Luy a cassé en racomodant, disant quil ne Doit pas payer Le racomodage.

Le deffendeur repond que Si Les hache ont manqué par L'ouvrage quil a fait quil ne demende rien, mais quelle Sont Cassé aillieur.

At a Court, November 5, 1781.

President, G. Blin. Bte. Dubuque.
Bte. LaCroix. Pierre Grandmont.
Bte. Saucier. Present.

Aug. Angers, Plaintiff, *vs.* Ch. Gratiot, Defendant.

The plaintiff sues the defendant in order that he render him an account of what the late Dubois owed him, since he had had the property, which remained after the death of the said Dubois.

The defendant answers that when they were on the point of holding the auction of the goods of the late Dubois, he withdrew, with the approval of M. Joseph Lepage, judge of the Court, all the articles remaining of those which he had sold to the late Dubois, and that the rest had been sold and that the proceeds of the sale must be in the hands of M. DuCharme, since he had caused the sale to be made. He prays the Court to name a day at another Court that he may produce his account against the said Dubois, since he was not forewarned of this suit.

The Court in accordance with his prayer granted Charles Gratiot till the next Court, Thursday, the 8th of the present month, to appear and produce his account.

At the same Court Louis Lemay was for bidden to settle at Prairie du Pont, as it had been already forbidden him to do.

The Court adjourned to Thursday, November 8.

F. Saucier, Clerk. G. Blin.

At a Court, November 8.

President G. Blin. J. Bte. Dubuque.
J. Bte. LaCroix. Raphael Gagné.
P. Grandmont. Jos. Cesirre.
Present.

J. Bte. Lacroix, Plaintiff, *vs.* Charles Lefevre, Defendant.

The plaintiff sues the defendant for three axes, which he had given him to mend, and which the defendant broke in mending and says that he ought not to pay for the repairing.

The defendant answers that if the axes were spoiled by the work, which he did, he would not demand anything; but that they broke elsewhere.

La Cour a renvoyer Le présent procés a etre decidé par Des ouvrier Et ont Condamné Les dittes partie a sen raporter a leur décision, Louvrier ayant visiter louvrage a Dit quelle ne valloit rien et quelle ne Devoit pas Etre payé, La Cour a Condanné Le deffendeur a payer Les fraix.

AUG. ANGÉ Demendeur CH. GRATIOT Deffendeur

Le deffendeur ayant Eté renvoyé a La presente Cour pour produire Ses Compte Contre feu dubois Et Les ayant produit La Court a ordonné au demendeur de produire Les Siens Et a prover Comme La farine quil a retirer Luy appartient et a Cette Effest a nomée francois saucier pour faire Le recouvrement de la vente de Ses Effest ainsi que la farine qui reste Etre due pour ensuitte payer a qui il appartiendrie.

B^te^. LACROIX Demendeur P. MARTIN Deffendeur

Le demendeur poursuit Le deffendeur pour La somme de vingt neuf Livres quil Luy doit pour L'ancan de L'acharette.

Le deffendeur dit avoir payé Les vingt neuf Livres a M^r^. Gratiot En réglant de Compte avec luy.

m^r^ Gratiot ayant produit Ses Compte quil avoit reglé avec le deffendeur ou il n'est point Mention dud^t^ payement.

La Cour a Condanné Le deffendeur a produire un recuet Comme il a payé Les dit vingt neuf Livres, au deffaut de quoy il est condanné a payer au demendeur La Ditte Somme.

La Cour Est ajourné a Jeudy 8 x^bre^.

f saucier Clar G. Blin

a une Cour du 15 9bre.

Prés^d^ G. Blin B^te^ Saucier

p. Granmon B^te^ Dubuque

Pres.

une requette présenté par m^r^ fr. trottier, disant quayant Eté nomé tuteur des Enfans de feu Lapierre, quil a Exercer Jusqu'a présent Cette Charge, Et demende a en Etre dechargé, Et que la Cour nome un autre tuteur.

La Cour a acordé a M^r^ Fr Trottier de Se dechargé de Sa

[1] See previous session.

The Court dismissed the present suit to be decided by workmen and condemned the said parties to refer the cause to their decision. The workmen having inspected the work said that the axes were worth nothing and that they ought not to be paid for. The Court condemned the defendant to pay the costs.

Aug. Angers, Plaintiff, *vs.* Ch. Gratiot, Defendant.

The defendant, having been dismissed to the present Court to produce his accounts against the late Dubois, has brought them. The Court ordered the plaintiff to produce his accounts and to prove how the flour, which he withdrew, belonged to him, and to this end named François Saucier to make the recovery from the sale of his goods and also of the flour, which remains due, in order afterwards to pay it to whom it may belong.[1]

B. LaCroix, Plaintiff, *vs.* P. Martin, Defendant.

The plaintiff sues the defendant for the sum of twenty-nine *livres*, which he owes him for the auction of the cart.

The defendant says that he paid the twenty-nine *livres* to M. Gratiot in settlement of accounts with him.

M. Gratiot produced the accounts, which he had settled with the defendant, and there is no mention of the said payment.

The Court condemned the defendant to produce a receipt showing that he had paid the said twenty-nine *livres*, in default of which he is condemned to pay the plaintiff the said sum.

The Court adjourned to Thursday, December 8.

F. Saucier, Clerk. G. Blin.

At a Court, November 15.

President, G. Blin. Bte. Saucier.

P. Grandmont. Bte. Dubuque.

Present.

A petition presented by M. Fr. Trottier, in which he says that he was named guardian of the children of the late Lapierre and has exercised this charge up to the present; and now he requests that he be relieved and that the Court name another guardian.

The Court granted that M. Fr. Trottier be relieved of his

tutelle En Consequence Elle a ordonné quil Soit fait un assemble de parens Et damis pour Le reglement des Compte, ainsi que pour La nomination dun nouvaux tuteur.

f saucier clark, G. Blin

a une Cour du 6 X^bre 1781.

présidant G Blin	raphle Gagné
J. B^te Lacroix	B^te Dubuc
pierre Gramon	Jos^h Cecire
	pres^t.

Les Compte due par feu Jos^h metote ont Eté présenté a la Cour. il a Eté ordonné que fr. Saucier face Le recouvrement de Son ancan ancan [*sic*] Et payer Les dits Compte, qui Seront raporté En Cour pour Etre aprouvé.

La Cour Est ajourné a jeudy 3. de Janvier.

F. saucier clark G. Blin

a une Cour du 10^ie janvier 1782.

président george blin	raphael gagné
J. B^te Lacroix	pierre grandmont
B^te Saucier	joseph Cecirre
B^te Dubuc	present

demendeur ISAAC LEVY defendeur MICHEL BUTAU

Le demendeur poursuit le deffendeur disant que layant traite pour une maladie moyennant la Somme de quatre cent livres et quapprés un certain temp le deffendeur luy at assuré quil ne Sentoit plus aucuns Simptomes de Sa maladie il a cessé de le Soigner et luy demandant Son payement par la Suitte le deffendeur luy a refusé disant quil ne lavoit pas guéris entierement.

B^te dumais appres avoir fait Serment de dire la verité Sur les Convention entre le demandeur et le déffendeur at assurré que le demendeur devoit parfaitement guérir le deffendeur et quil at entendu dire au Deffendeur quil netoit pas guérit quil netoit que Seulement Soulagé.

Le deffendeur dit que le demandeur etoit obligé de le guérir parfaitement et quil ne Sest point trouvé et ne Se trouve point guérit quil a Semplement Senti quelques Soulagements par les premier traitement Du demendeur.

guardianship; and in consequence ordered that there be held an assembly of relatives and friends for the settlement of accounts and the nomination of a new guardian.

F. Saucier, Clerk. G. Blin.

At a Court, December 6, 1781.

President G. Blin. Raphael Gagné.
Jean Bte. Lacroix. Bte. Dubuque.
Pierre Grandmont. Joseph Cesirre.

Present.

The accounts due by the late Jos. Methot have been presented to the Court. It was decreed that Fr. Saucier make the recovery by auction and pay the said accounts, which shall be reported in Court to be approved.

The Court adjourned to Thursday, January 3.

F. Saucier, Clerk. G. Blin.

At a Court, January 10, 1782.

President, George Blin. Raphael Gagné.
J. Bte. LaCroix. Pierre Grandmont.
Bte. Saucier. Joseph Cesirre.
Bte. Dubuque. Present.

Isaac Lèvy, Plaintiff, *vs.* Michel Buteau, Defendant.

The plaintiff sues the defendant saying that he treated the defendant for a sickness for the sum of four hundred *livres* and after some time the defendant assured him that he no longer felt any symptoms of his sickness. He ceased caring for him and afterwards, when he asked for his pay, the defendant refused, saying that he had not cured him entirely.

Bte. Dumay, after having made oath to tell the truth concerning the agreement between the plaintiff and the defendant, affirmed that the plaintiff was bound to cure perfectly the defendant and that he heard the defendant say that he was not cured, but only relieved.

The defendant says that the plaintiff was obliged to cure him perfectly and that he was not and is not cured; that he only felt some relief from the first treatment of the plaintiff.

Augustin Angers, after having made oath to tell the truth

augustin angers apprés avoir fait Serment de dire la verité Selon Ses Connoissances dit que le deffendeur etoit dans les desseins daller aux Kas Se faire Soigner et quil auroit dit que le demandeur lavoit arreté disant quil etoit capable de le guérir et quil luy auroit conseillé de Se mettre entre les mains du demendeur. et que quelque temps apprés. ayant demandé au deffendeur létat de Sa maladie il auroit repondû quil alloit tres bien. et quen suitte de le temps. le deffendeur luy auroit dit quil etoit malade. et que le demandeur lessoit de le Soigner.

le deffendeur at déclaré par Serment n'avoir jamais Connû aucunes femmes depuis le premier temps que le demandeur lat Soigné jusqua ce que jour.

la Cour at Condamné le demendeur de Continuer de Soigner le deffendeur jusqu'a ce quil soit guérit Sous Condition que le deffendeur Se Comporterat Conformement a Ses ordonnances et ne feras rien qui puisse estre nisible au médicaments du demandeur, Sous peine de payer la Somme demandé par le demandeur et destre abandonné de luy.

la Cour a Condanné le deffendeur de payer la Somme de Cent Seize livre quinze Sols que le demandeur a produit Selon Son Compte Courrant.

la Cour a Condanné le demandeur a payer touts les fraix de justice.

la Cour est ajourné au 7me febrier

f. saucier clark G. Blin

a une Cour du 28 Janvier 1782.

president G Blin Jn Bte Saucier

Jn Bte Lacroix Jn Bte Dubuc

Prest.

Demendeur Joseph Motar Defendeur augut. angé

Le demendeur poursuit Le deffendeur pour Savoir Le Sujet pour Lequel il a defendu au Sieur ducharme de Le payer Et de regler Ses Compte avec Luy.

Le deffendeur repond que Si il La fait Ce na Eté que parceque Le demendeur Luy a Saisi un Canot dans Lequelle il devoit

according to his knowledge, says that the defendant was intending to go to Kaskaskia to be attended, and that he had said that the plaintiff had stopped him, saying that he was capable of curing him; and that he [Angers] had advised him to put himself under the care of the plaintiff; that some time afterwards, when he asked the defendant about the sickness, he answered that he was getting along very well; but later the defendant had told him that he was sick and that the plaintiff had ceased attending him.

The defendant declared on oath that he had not known any women from the time the plaintiff began taking care of him up to the present time.

The Court condemned the plaintiff to continue attending the defendant until he should be cured, on condition that the defendant acts according to orders and does nothing that can counteract the medicines of the plaintiff, under penalty of paying the sum demanded and of being abandoned by him.

The Court condemned the defendant to pay the sum of one hundred and sixteen *livres* fifteen *sols*, a bill for which in accordance with his current account the plaintiff has produced.

The Court condemned the plaintiff to pay all the costs of justice.

The Court adjourned to February 7.

F. Saucier, Clerk. G. Blin.

At a Court, January 28, 1782.

President, G. Blin. Jn. Bte. Saucier.

Jn. Bte. LaCroix. Jn. Bte. Dubuque.

Present.

Joseph Motard, Plaintiff, *vs.* Aug. Angers, Defendant.

The plaintiff sues the defendant that he may know the reason why the latter has forbidden M. DuCharme to pay him and to settle his accounts with him.

The defendant answers that if he did it, it was only because the plaintiff seized a canoe in which he was going away, saying

partir disant quil Luy devoit Se que Le Deffendeur ny et offre de Le prouver.

Le demendeur repond quayant vendu Soixante pot de tafia a raison de deux piastres Le pot Sur Laquelle ditte quantité Le Sieur Ducharme Luy En a payé Cinquante pot Comme ayant repondu de Le faire, Et que Comme Le deffendeur Se trouvoit redevoir au demendeur vingt piastre pour Les dix pot restant, et quaprés Luy avoir demendé plusieurs fois il auroit refusé de le Satisfaire il auroit par ordre de m^r^ Le Commandant de st Louis de faire aretter Le Canot du deffendeur Seulement pour Jusqua ce quelque Juge En decidé Et a produit Son Compte par Lequel Le d^t^ deffendeur Luy est redevable de la Somme de Cent Livres.

Le deffendeur repond que dans Laffaire presente avec Le demendeur il netoit point Convenu d'aucume quantité de tafia que Leur Convention Etoit d'une Demy Barique pour Le prix de Cinq Cent Livres Et quil n'etoit Convenu aucunement d'aucun prix pour Le pot.

Le demendeur repond que Si Lusse promit soixante pot de tafia au deffendeur pour une Demi Barique il n'auroit pas présence du deffendeur valter Led^t^ tierson qui Contenoit Soixante pot Et que Le deffendeur Si Seroit oposer Si lusse entendu avoir Soixante pot de tafia pour Cinquante.

Le deffendeur offre antoine Lamarche pour témoin de Leur Convention.

antoine Lamarche ayant paru a prété Serment Sur Le S^t^ Evangille De repondre au question qu'on Luy feroit, et a dit quil n'a d'autre Connoissance que d'avoir Entendu dire par m^r^ motar quil Donneroit au S^r^ angé une Demy Barique de tafia pour La quantité de Cent piastre.

Le demendeur a preté Serment Sur Son Compte.

apres avoir murement Examiné Les demendes Et deffences vue Le témoins Et Sa Declaration La Cour a Condanné Le deffendeur a payer au demendeur Le Surplus des Cinquante pot de tafia a raison de deux piastre Le pot qui Ce Sont trouvé dans Le feu quil a reçue du demendeur, Comme L'ayant valté En La présence du Deffendeur et Le Deffendeur a payer Les fraix de Justice.

that the defendant was in debt to him, which the defendant denies and offers to prove.

The plaintiff answers that he sold sixty jugs of tafia at two *piastres* the jug and that M. DuCharme paid him for fifty jugs of this, for which he had held himself responsible; and since the defendant was indebted to the plaintiff twenty *piastres* for the ten remaining jugs and had refused to pay after many demands, he had, by order of the commandant of St. Louis, caused the seizure of the defendant's canoe only until some judge should decide, and he produced his account according to which the defendant is indebted to him for the sum of one hundred *livres*.

The defendant answers that in the present affair with the plaintiff there was no agreement on any quantity of tafia, that their agreement was for a half-cask at five hundred *livres*, and that there was no agreement on any price *per* jug.

The plaintiff answers that if he had promised the defendant sixty jugs of tafia for a half-cask he would not in the presence of the defendant have measured [?] the said barrel, which contained sixty jugs; and that the defendant should have objected thereto, if he had understood that he was receiving sixty jugs instead of fifty.

The defendant presents Antoine Lamarche as a witness of their agreement.

Antoine Lamarche appeared and made oath on the Holy Gospels to answer the question, which is put to him, and said that he had no other knowledge than that he had heard M. Motard say that he was giving M. Angers a half-cask of tafia for a hundred *piastres*.

The plaintiff made oath to his account.

After having carefully examined the prayers and the defences and considering the witness and his testimony, the Court condemned the defendant to pay the plaintiff for the surplus above the fifty jugs of tafia, which were in the consignment of firewater which he received from the plaintiff, at the rate of two dollars a jug, since it was measured [?] in the presence of the defendant, and condemned the defendant to pay the costs of justice.

Demendeur Isaac Levy Deffendeur michel butau

Le demendeur poursuit Le deffendeur disant que La Cour Derniere il auroit Eté Condanné de Continuer a médicamenter Le deffendeur Jusqu'a Sa parfaite guerison pour parvenir au payement que Le deffendeur Est obligé a Luy donner, mais il prouve que Le deffendeur na pas Suivie Ses ordonnance ni même prise Les remedes quil Luy a donné puisq'un Jour il dit Luy avoir donné Soixante pilule pour En prendre Sept Le premier Jour Et a auguemender d'une tout Les Jour, Jusque La fin mais Le Demendeur Dit que Le Lendemain ayant Eté Le voir, il Luy a demendé Si il En avoit prix Se Jour La, Le deffendeur Luy a repondu que non et quil ne Savoit pas de quoy Etoit devenu Les ditte pilule quil Croyoit que Les Enfans de la maison Les avoit perdu. Et que Le Sur Lendemain il y auroit Encore retourné, Luy en reporté quinze autre Des même pilule Et a recommander au S^r^ B^te^ alary de faire attention Si Le dit deffendeur ne Le trompoit point Dans Les remedes quil Luy donnoit Et L'apres midy Le deffendeur a dit au demendeur, aprés Luy avoir dit que Les Enfans avoit gaspiller Les ditte Soixante Et Sept pillule quil Les avoit toute prise chose inposible que Le demendeur représente, parceque Cetoit assé pour Le faire mourir, Et m^de^ B^te^ alary ayant paru a dit que Led^t^ deffendeur na pas voulu prendre aucune des ditte pilule que Le demendeur avoit recommendé De Luy faire prendre.

Le deffendeur ayant paru a dit quil avoit prix toute Les pilule que Le demendeur Luy a a [*sic*] donné que voyant que Les remede ne Le guerissoit pas aussi vite quil L'auroit voulu quil Les a toute prise dans Deux Jour.

La Cour a Condanné Le deffendeur a payer au demendeur Le prix quil etoit Convenu de luy donner Comme n'ayant pas Suivie Ses ordonnances, anisi que tous Les fraix.

La Cour Est ajourné a Jeudy 7. fevrier.

fr. saucier, clark. G. Blin.

Isaac Levy, Plaintiff, *vs.* Michel Buteau, Defendant.

The plaintiff sues the defendant, saying that at the last Court he had been condemned to continue to treat the defendant until his perfect cure in order to obtain the payment, which the defendant was obliged to give him; but he proves that the defendant has not followed his prescriptions nor even taken the remedies, which he gave him; for, he says, he gave him one day sixty pills, seven of which he was to take the first day and to increase the number by one each succeeding day until all were taken; but the plaintiff says that on the next day he went to see the defendant and asked if he had taken the pills that day, and the defendant answered, "No", and said that he did not know what had become of the said pills; but that he believed that the children of the house had lost them. The plaintiff further says that on the following day he returned and brought fifteen more of the same pills; and he requested M. Bte. Alarie to watch and see if the said defendant did not deceive him about the medicine he had given him; and in the afternoon the defendant said to the plaintiff, after having told him that the children had thrown away the said sixty-seven pills, that he had taken them all, which is impossible, the plaintiff maintains, because that was enough to kill him. Madame Bte. Alary appeared and said that the defendant aforesaid did not wish to take any of the said pills, which the plaintiff charged him to take.

The defendant appeared and said that he had taken all the pills that the plaintiff gave him; but since the remedies did not cure him as quickly as he had wished, he took them all in two days.

The Court condemned the defendant to pay to the plaintiff the price which he had agreed to give him, since he has not followed the prescriptions, and also to pay the costs.

The Court adjourned to Thursday, February 7.

F. Saucier, Clerk. G. Blin.

a une Cour du 7 fevrier 1782.

President G. Blin — raph. Gagné
B^te^ Saucier — J^n^ B^te^ dubuc
Pres^t^

G. Blin représente a la Cour que Le nomé pierre Lafleur ayant fait Chanter une Grande messe par M^r^ Gibeaute, il Luy auroit demendé plusieurs fois de Satisfaire a La fabrique Se quil a refusé de faire. En Consequence il demende de faire Saisir quelq'un de Ses meubles pour Jusqu'a La Conqurence de ce quil doit.

La Cour a ordonné que Le nomé pierre Lafleur Soit assiné a La Cour prochaine pour repondre a la plainte porte Contre Luy.

La Cour Est ajourné au 7 mars.

f. Saucier. Clark

a une Cour du 21 fevrier 1782.

Président G. Blin — Jos^h^ Cecire.
p. Granmon — B^te^ Saucier.
J. B^te^ Lacroix — B^te^ Dubuque.
Present

Jean B^te^ Lacroix a produit a la Cour Le reglement du Compte de la Succession de feu Jean B^te^ amelin qui a eté aprouvé ainsi que Les autre papier Dont il Etoit Chargé Comme ayant Eté nomé par Laditte Cour de regler Laditte Succession. Et Les dit papier ont Eté remis au Gref.

Le Sieur ant Girardin de La part de madame veuve mercié. a fait demende En Cour de faire faire invantaire de tous Ses Biens pour regler avec Ses mineurs.

La Cour a accordé a M^de^ mercié Suivant sa demende.

a une même Cour pierre roy a présenté une requette a la Cour pour quil Soit nomé un tuteur au mineurs mitote

La Cour a ordonné quil Soit fait une Assemblé de parens Et damis pour L'elextion d'un tuteur au Susdit mineurs, ainsi que pour le reglement de Leur Succession.

a une même Cour philipe Gervais ayant obtenu une saisi Sur Soixante Gerbe de blé appartinant a Glaude Gagné pour une

[1] The vestry-board was composed of church wardens elected by the parish to take charge of the temporal affairs of the church.

At a Court, February 7, 1782.

President, G. Blin. Raphael Gagné.
Bte. Saucier. Jean Bte. Dubuque.

Present.

G. Blin shows the Court that the named Pierre Lafleur had had a high mass sung by M. Gibault, and that he had asked the latter several times to pay the vestry-board,[1] which the latter refused to do. Therefore he prays that some of his movables, up to the equivalent of what he owes, be attached.

The Court ordered that the named Pierre Lafleur be summoned to the next Court to answer the complaint brought against him.

The Court adjourned to March 7.

Fr. Saucier, Clerk.

At a Court, February 21, 1782.

President, G. Blin. Jos. Cesirre.
P. Grandmont. Bte. Saucier.
J. Bte. Lacroix. Bte. Dubuque.

Present.

Jean Bte. Lacroix brought into Court the settlement of the account of the estate of the late Jean Bte. Hamelin, which was approved, and also the other papers with which he was intrusted, as he was named by the said Court to settle the said estate. And the said papers were filed in the clerk's office.

M. Ant. Girardin on behalf of Madame Mercier, widow, made prayer in Court to have an inventory made of all her goods in order to settle with her minor heirs.

The Court granted the request of Madame Mercier.

At the same Court Pierre Roy presented a petition to the Court in order that there be named a guardian for the minors Methot.

The Court decreed that there be held an assembly of relatives and friends for the election of a guardian for the above mentioned minors, and also for the settlement of their estate.

At the same Court Philippe Gervais, who has obtained a writ of seizure on sixty sheaves of wheat belonging to Claude Gagné

Somme de Soixante Et quinze Livres quil Luy. Et demendé a La Cour d'ans faire faire La vente.

La Cour a accordé au S^r^ Gervais La vente du Blé suivant sa demende.

fr. Saucier a demendé a la Cour quil Luy Soit permis de faire vendre Environ deux tombré de maÿs appartenant a Glaude Gagné pour Satisfaire a une Somme de cent soixante et trois Livres quil est due par son Billet.

La Cour a accordé a fr. Saucier quil soit fait Suivant sa demende.

fr. Saucier a produit En cour Le reglement des Compte de la Succession de feu Joseph Metote, qui ont Eté aprouvé.

La Cour Est ajourné a 7 de mars.

fr saucier Clark G Blin

a une Cour du 7^ie^ mars 1782.

President G. Blin.	Jos^h^ Cecire
p. Granmon	B^te^ Saucier
raphael Gagné	B^te^ Dubuc

Present

Demendeur LOUIS TROTTIER Deffendeur J^n^ B^te^ LACROIX

Le demendeur poursuit le deffendeur pour un Cochon quil Luy a Eté tué Dans Les Champs Et demende quil luy Soit payé ayant passé par Sa Cloture, Suivant La declaration de M^r^ Baullieu qui En a fait La visite. Et qui declare que Les d^t^ pourceau ont passé Sa cloture.

[*Certificate attached*] Je Soussigné Sertifie a tous quil appartiendra qu'ayant Eté Envoyé par le Sindic faire La visite des Cloture, que J'auray trouvé un pieux de Cassé dans La Cloture de Monsieur Lepage Et qu'en presense de deux temoins Je ne me Suis point aperçu quil y aye passé auq'un animaux Et quensuite nous aurions trouvé une Breche a Celle de m^r^ Lacroix nous nous Sommes aperçu quil y avoit passé Des pourçeu, Et avons aussi vue

[1] The certificate is stitched to the page of the *Record*.

[2] From the earliest times of the French regime the inhabitants elected a syndic to look after the commons and common field. This officer was also the legal representative of the community on all occasions. The villages of France had a similar officer.—Babeau, H., *Les assemblees generales des communautés d'habitants en France*, 146 *et seq.* Babeau, A., *Le village sous l'ancien régime*, ch. iii.

for a sum of seventy-five *livres*, which the latter owes him, prays the Court to have the sale made thereof.

The Court granted to M. Gervais the sale of the wheat according to his prayer.

Fr. Saucier prayed the Court to permit him to have sold about two wagon loads of corn belonging to Claude Gagné to satisfy the sum of one hundred and sixty-three *livres* which is due on his note.

The Court granted to Fr. Saucier that it be done according to his prayer.

Fr. Saucier produced in Court the settlement of the accounts of the estate of the late Joseph Methot, and it was approved.

The Court adjourned to March 7.

F. Saucier, Clerk. G. Blin.

At a Court, March 7, 1782.

President, G. Blin.	Jos. Cesirre.
P. Grandmont.	Bte. Saucier.
Raphael Gagné	Bte. Dubuque.

Present.

Louis Trottier, Plaintiff, *vs.* Jean Bte. LaCroix, Defendant.

The plaintiff sues the defendant for his pig, which was killed in the fields, and demands that he be paid for it, since it passed through the defendant's fence according to the affidavit of M. Beaulieu, who made the inspection and declares that the said pigs passed through the defendant's fence.

[*Certificate attached*[1]] I, the undersigned, certify to all whom it may concern that when I was sent by the syndic[2] to inspect the fences, I found a stake broken in the fence of M. Lepage and, in the presence of two witnesses, I have not seen any animals pass through there; and afterwards we found a break in M. LaCroix's fence and saw that some pigs had passed through it; and we also saw a broken stake in Louis Trottier's fence, but up to that time nothing had passed through there. This I declare to be the truth and have signed the present certificate to serve in case of need. At Cahokia, March 7, 1782.

Beaulieu.

un pieux Cassé a la Cloture de louis trottier ou Jusqua Lors il ny avoit Encore rein passe Ce que Je declare veritable Et a Signé Le present pour Servir au Besoin Sera aux Cahôs le 7 mars 1782.

beaulieu

Le deffendeur repont que Les témoins qui Sertifie que le Cochon a passé par Sa cloture q'un en fasse Serment, quil Se Condanne a Le payer puisquil y avoit ce jour La plusieur Breche aux cloture.

La Cour a ordonné q'un Des témoins qui déclare que Les pourceaux ont passé par La Cloture de d^{t} Lacroix En fasse Serment Et Le deffendeur alors Sera Condanné a payer Le d^{t} Cochon au demendeur Et Les fraix.

a une même Cour m^{r} motar Expose a la Cour que Dans une affaire quil a eu avec Le Sieur angé Et qui auroit Eté Condanné par laditte De luy payer une Somme Suivant Son Compte il auroit Jusqu'a present attendu led^{t} payement led^{t} Sieur motar represente aussi que la Cour Luy ayant ordonné de ramener un Canot quil avoit fait Saisir appartinan audit angé a S^{t} Louis, il auroit obei aux ordres qui Luy ont Eté present a ce Sujet.

Mais Comme Led^{t} angé Se trouve apsent il Demende a la Cour de faire vendre son d^{t} Canot pour Satisfaire a ce que led^{t} angé Luy doit.

La Cour a accordé a m^{r} motar La vente du d^{t} Canot, moyenant que Se Sera a La veille de Son depart, Esperant que led^{t} angé pouroit venir avant ce tems.

La Cour Et [*sic*] ajourné Jeudy 4 avril.

f saucier Clark G Blin

a une Cour du 8 de mars 1782.

Président Geo. Blin Jn B^{te} dubuque
p. Granmon Jn B^{te} Saucier
raph. Gagné Josh^{h} Cecire

Present

Le Sieur Jean B^{te} Lacroix présente une requette a la Cour par Laquelle il demende une permission pour faire La traitte avec Les Sauvages qui viendront ches Luy. au Condition que toutte Les viandes, Suif huile dours et paux de Chevruil quil traittera apres Sa provision faitte dans cedder aux Citoyens de ce Village

The defendant answers by requesting that, since there were several breaks in the fence on that day, one of the witnesses, who certify that the pig passed through his fence, should make oath, and he will accept judgment to pay for the pig.

The Court decreed that one of the witnesses, who declare that the pigs passed through the fence of the said LaCroix, should make oath thereto, and the defendant will then be condemned to pay the plaintiff for the said pig and the costs.

At the same Court M. Motard shows the Court that in the cause, which he had with M. Angers and in which the latter had been condemned by the said Court to pay him the sum according to his account, he had up to the present waited for the said payment. M. Motard also shows that the Court decreed that he should bring back a canoe belonging to the said Angers of which he had made seizure at St. Louis, and that he had obeyed the orders which were given him on this subject.

But since the said Angers is absent, he prays the Court to have his canoe sold to satisfy the debt, which the said Angers owes him.

The Court granted to M. Motard the sale of the said canoe on condition that the sale shall be made on the evening of his departure, as they hope that the said Angers may return before that time.

The Court adjourned to Thursday, April 4.

F. Saucier, Clerk. G. Blin.

At a Court, March 8, 1782.

President, Geo. Blin.	Jean Bte. Dubuque.
P. Grandmont.	Jean Bte. Saucier.
Raph. Gagné.	Jos. Cesirre

Present.

M. Jean Bte. LaCroix presents a petition to the Court in which he requests a permit to trade with the savages, who shall come to his house, on condition that all meats, tallow, bears' oil and deer-skins, which he shall receive in trade, after making provision for himself, he will sell to the citizens of this village at a

a un prix qui Sera fixé par La Cour Et qu'en outre il Sera Loisible aux habitans de Ce village de venir ches Luy quand il y aura Des Sauvages, faire La traitte pour des denrés Et quil ne Leurs Soit point permis dy traitter de L'eau de vie, il Represente en outre quil ne versera point d'eau de vie dans ce village a aucun sauvages.

a La demende du Sieur Jn B^te^ Lacroix La Cour Luy a accordé La permission de La traitte avec Les Sauvages moyenant quil ne donnera point a Boire au Sauvages dans le village Et quil vendra aux habitans de ce village par privillége apres Sa provision faitte, Savoir.

Lhuille a trois Livres dix Sols.

Le Suif a une livre dix Sols.

Les plats Cotes a Sept Livres dix Sols.

Le chevreuil En viandes Dix livres.

Les paux Boucannée Cinq Livres.

Et Les habitants auront vingt quatre heure apres Le depart des Sauvages pour venir acheter Leurs Besoin ches Mond^t^ Sieur Lacroix, Et quapres Ce tems il Sera maitre de le vendre a tout autre Ce a quoy il Est convenu.

La Cour Est ajourné a 4 D'avril.

fr saucier. G Blin

La Cour Est ajourné au 11 avril, Extraordinaire.

Président Jen. B^te^ Lacroix B^te^ Saucier

raph^le^ Gagné B^te^ Dubuque

Présent

ANT. ARMANT Demendeur JOSP^h^ BUTAU Defendeur

Le demendeur poursuit Le defendeur Disant quil Luy auroit Donné une paire de Jeune Boeuf a dompter moyenant quil feroit Ses Semences avec. mais Le Demendeur dit ne sen Etre servis que quatre Jour Et a nouri Les Dits Boeuf trois semaine au foin Et maiÿ [*sic*] Et que Comme Le defendeur aujourdhuy Luy reprend Ses Boeuf avant Ses Semences faitte il demende que led^t^ Deffendeur soit Condanner a luy payer Le tems quil a noury Ses Boeuf Et La peine de les avoir fait Dompter.

For further particulars about this license to trade see pp. 575, 213, 215, 607.

price which shall be fixed by the Court; and furthermore that it shall be lawful for the inhabitants of this village to come to his house, when savages are there, to trade for provisions; and that it shall not be permitted them to trade there for liquor. He shows, furthermore, that he will not serve liquor in this village to savages.

At the prayer of M. Jean Bte. Lacroix, the Court granted him the permit to trade with the savages, on condition that he will not give them drink in this village, and that he will give the preference to the inhabitants of this village in selling, after provision is made for himself, at the following prices, to wit:

Oil at three *livres* ten *sols*.

Tallow at one *livre* ten *sols*.

Spare ribs at seven *livres* ten *sols*.

The meat of deer at ten *livres*.

Smoked hides at five *livres*.

And the inhabitant shall have twenty-four hours after the departure of the savages in which to buy what they need at M. Lacroix's; and after that time he shall be permitted to sell to all others. To this he has agreed.[1]

The Court adjourned to April 4.

Fr. Saucier. G. Blin.

The Court adjourned to April 11, for special session.

President, Jean Bte. LaCroix. Bte. Saucier.

Raph. Gagné. Bte. Dubuque.

Present.

ANT. HARMAND, Plaintiff, *vs.* JOS. BUTEAU, Defendant.

The plaintiff sues the defendant, saying that the latter had lent him a pair of young oxen to break in return for the use of them during his sowing; but the plaintff says that he had used them only four days, after he had fed the said oxen three weeks on hay and corn, and that, since the defendant took his oxen back to-day before he had finished his sowing, he therefore prays that the said defendant be condemned to pay him for the time that he fed his oxen and for the trouble he had in breaking them.

Le deffendeur repond quil a pris Ses Boeuf parceque il Setoit aperçu que L'on menoit mal Ses Boeuf.

Le demendeur produit un témoin qui dit que le deffendeur avoit Donné Ses Boeuf au demendeur pour tous le tems de Ses semences.

La Cour a Condanner Le deffendeur a payer au demendeur Vingt franc pour Le tems quil a nouri Ses Boeuf Et a payer Les fraix.

a une même Cour Clement alary demende quil soit hautorizé de faire rendre Compte a piere Chauvin du Bien que peut revenir au mineurs Buat Labecace du Cotte de leur mere.

La Cour a accordé a La demende de Clement alary pourvu que Les tuteur des dits mineurs y Soyent présent.

La Court Est ajourné au 2ie may.

fr saucier, clark. J B H LaCroix

a une Court du 18 avril 1782 par extraordinaire.

Président George Blin	Bte Saucier
raphael Gagné	Piere Granmon
Jn Bte Lacroix	Bte Dubuque
Josh Cecire	Présent

La Court Etant assemblé au nom des habitants pour repondre a la requette a Eux presente par antoine Girardin Sur La proposition quil Leur fait pour L'abandon de Son moulin Et aussi pour donner toutte Les Connoissances a Mr Richard Winston Lieutenant Gouverneur Civile pour la Conté Des Illinois, de toutte Les affaires qui Ce Sont passé avec ledt Girardin Et Les habitants affin den venir a une Conclusion.

Veu que La requette présenté audt habitant En General La Cour a renvoyé aux habitant a En faire réponse.

fr saucier. G Blin

a une Cour du 9 may 1782 Extraordinaire.

Président G Blin	Josh Cecire
pierre Granmon	Bte Saucier
raphael Gagné	Jn Bte Dubuque
Jn Bte Lacroix	présent

monsieur fr trottier ayant fait assemblé La Cour, au nom du public pour Demender a mr T Brady Les pouvoir quil a de faire Des Deffences au public.

The defendant answers that he took the oxen away because he noticed that they were treated badly.

The plaintiff produces a witness, who says that the plaintiff had given the oxen to the defendant for all the time of sowing.

The Court condemned the defendant to pay the plaintiff twenty *francs* for the time he fed his oxen and to pay the cost.

At the same Court Clement Alarie prays that he be authorized to make Pierre Chauvin render account of the goods, which may accrue to the minors Buyat Labecasse from their mother.

The Court granted the prayer of Clement Alarie, provided the guardians of the said minors are there present.

The Court adjourned to May 2.

Fr. Saucier, Clerk. J. B. H. Lacroix.

At a special session of the Court, April 18, 1782.

President, George Blin.	Bte. Saucier.
Raphael Gagné	Pierre Grandmont.
Jean Bte. LaCroix.	Bte. Dubuque.
Jos. Cesirre.	Present.

The Court assembled in the name of the inhabitants to make response to the petition presented to them by Antoine Girardin, in which he proposes to them to abandon his mill and to give full cognizance of all the causes between himself and the inhabitants to Mr. Richard Winston, lieutenant civil governor of the county of Illinois, that a conclusion may be reached concerning them.

Considering that the petition is presented to the inhabitants in general, the Court referred it to the inhabitants to make response thereto.

Fr. Saucier. G. Blin.

At a special session of the Court, May 9, 1782.

President G. Blin.	Jos. Cesirre.
Pierre Grandmont.	Bte. Saucier.
Raphael Gagné.	Jean Bte. Dubuque.
Jean Bte. LaCroix.	Present.

M. Fr. Trottier assembled the Court in the name of the public to demand of M. Brady what power he had to publish prohibitions to the public.

Thomas Brady ayant paru a dit qu'en Sa qualité de deputé pour les Sauvages quil fesoit Deffence de la trétte de taffia avec Eux.

La Cour Luy a representé quelle fesoit Elle même Ses deffences, Et que Si il a quelque plainte a faire Contre quelqu'un de Ce village au Sujet des Sauvages de le faire Et non pas de faire aucune deffence a Ce Sujet sans que la Cour en Soit instruit.

f saucier Clark. G. Blin

a une Cour 20 Juin 1782.

Président Geo. Blin	Josh Cecire
piere Granmon	Bte Saucier
raphle Gagné	Bte Dubuque
Jn Bte Lacroix	Présent

La Cour Etant assemblé pour prendre Le Serment des Juges nomé par La novelle Ellection faitte Le 16 du Court par une assemblé En la maison de mr trottier Savoir Les Sieurs Geo. Blin pierre Granmon Bte Dubuque, Bte alary, Bte Baron, Gabriel Baron Et Louis Lebrun.

Les Suivant Juges Savoir George Blin &c, Les dits Juges cy dessus mentionné ont pris Le Serment de fidélité aux Etats ainsi que celuy de Juge de Paix &c selon Leurs List.

a une Cour tenue pour le district des [*sic*] du village des Cahokia Le 20 Juin 1782.

a ordonné que fr Saucier soit apointé clark de Cette Cour.

fr Saucier a pris le Serment de fidélité Et d'office Et a pris Sa place En qualité de Clark.

a une même Cour a Eté ordonné que niColas Chabot Continuroit Sa charge de Cherif de la Cour.

nicolas Chabot a pris le Serment de fidélité Et doffice.

Louis pillet Demendeur Jos. asselin Deffendeur

Louis pillet présente un marché passé Entre Luy Et Le deffendeur pour ouvrage que le deffendeur devoit faire a Sa maison parceque le deffendeur refuse [?] de le Suivre.

Le deffendeur Expose que nayant pas fait L'ouvrage autant dit non pas par sa fautte puisquil na Jamais eté forcé par le demend-

[1] Brady was Indian commissioner for the state of Virginia.

Thomas Brady appeared and said that in his office of deputy for the savages he prohibited trade in tafia with them.[1]

The Court shows that it published itself such a prohibition; and demands that, if there is any complaint to make against any one of this village on the subject of the savages, he is to make it, and not to publish prohibitions on the subject without informing the Court.

Fr. Saucier, Clerk. G. Blin.

At a Court, June 20, 1782.

President, Geo. Blin.	Jos. Cesirre.
Pierre Grandmont.	Bte. Saucier.
Raph. Gagné.	Bte. Dubuque.
Jean Bte. LaCroix.	Present.

The Court assembled to receive the oath of the judges elected by the new election, which was held the 16th of the present month in the house of M. Trottier, namely MM. Geo. Blin, Pierre Grandmont, Bte. Dubuque, Bte. Alarie, Bte. Baron, Gabriel Baron, and Louis Lebrun.

The following judges, namely George Blin, etc., mentioned above, took the oath of fidelity to the States and also that of justices of the peace, etc., according to the list.

At a Court held for the district of the village of Cahokia, June 20, 1782.

The Court ordered that Fr. Saucier be appointed clerk of this Court.

Fr. Saucier took the oath of fidelity and also that of office, and took his place as clerk.

At the same Court it was ordered that Nicolas Chabot should continue his commision of sheriff of the Court.

Nicolas Chabot took oath of fidelity and of office.

Louis Pillet, Plaintiff, *vs.* Jos. Asselin, Defendant,

Louis Pillet presents an agreement entered into by himself and the defendant for work, which the latter was to do on his house, because the defendant refuses to keep it.

The defendant explains that he has not done the work as said, but not through his fault, but because he has never been com-

eur de Le faire, Et que Comme il y a Cinq ans que Led[t] marché Est passé il trouve que le prix Est trop mediocre il demende augmentation.

La Cour a Condanné Le demendeur a remboursé a deffendeur La Somme de Soixante Et dix Livres pour n'avoir pas obligé Le deffendeur a faire Son ouvrage au tems Echus Et a payer Les fraix Entre Eux.

Demendeur G. CONSTANT Deffendeur AT ARMENT

Le demendeur poursuit L deffendeur disant que Sous Le pretexte dit il que Son Enffant Luy auroit manqué quil L'auroit attaqué En Luy disant, va mon fils dire a ton pére quil a mangé Le cochon de Granmon, Ce que Le demendeur demende quil Luy prouvé par Sa partie adverse quil L'en acquse.

Le deffendeur dit quil a Entendu dire a m[r] Granmon quil pensoit que le demendeur auroit pu Le faire.

m[r]. Granmon dit queffectivement quil la pensé mais quil ne L'en accusoit pas positivement n'en Etant point Sure.

La Cour a renvoyé Le Demendeur Et le deffendeur Sans aucune Dessision puisque le demendeur nest pas Juste dans ces demendes Et pour Les Sotises quils ce Sont Dit Sont Condanné a payer tous Les deux Les fraix.

LEMÉ Demendeur Jo CECIRE Deffendeur

a une même Cour une requette présenté par Louis Lemé habitant de S[t] philipe pour un soque quil luy a Eté oté de Sa charu par m[r] Cecire Sous le pretex dit il que ledit lemé Luy devoit quinze franc. Ce qui La mis hor detat de faire Ses Semence Et de les faire faire Dont il Luy En a Couté Suivant Le Sertificat de m[r] Ch. Cadron Cent franc pour faire Sa Semence.

Joseph Cecire dit quil Est vray quil a pris Le Soque mais que ce n'est que par ce que led[t] Lemé Luy devoit quinze franc pour avoir Eté Emprisonné ches Luy Et que Si il Lut paye il ne L'auroit pas fait.

La Cour a Condanner Le Sieur Secire a rembourser au demendeur Ce qui Luy en a Couté pour faire faire Ses Semences Et a

[1] There was no prison in Cahokia, and the fort was sometimes used for that purpose, but not always. A prisoner was more often placed in the custody of an officer. Since no case in which Lemay was sentenced to imprisonment occurs in the *Record*, the imprisonment

pelled to do it by the plaintiff; and that, as it was five years ago that the bargain was made, he finds that the price is too low and demands an increase.

The Court condemned the plaintiff to reimburse the defendant the sum of seventy *livres* for not having compelled the defendant to do his work in the expired time and both to pay the costs.

G. CONSTANT, Plaintiff, *vs.* ANT. HARMAND, Defendant.

The plaintiff sues the defendant, saying that under the alleged pretext that his child had put a slight upon the defendant, the latter had assaulted him and said: "Go, my son, and tell your father that he ate Grandmont's pig"; and the plaintiff prays that this, of which he is accused, be proved by the opposing party.

The defendant says that he heard M. Grandmont say that he thought that the plaintiff might have done it.

M. Grandmont says that in fact he thought it; but that he did not positively accuse him thereof, because he was not sure.

The Court dismissed the plaintiff and the defendant without passing judgment, since the plaintiff is not just in his demands; and for the abusive language they have used, they are both condemned to pay the costs

LEMAY, Plaintiff, vs. JOS. CESIRRE, defendant.

At the same Court a petition was presented by Louis Lemay, inhabitant of St. Phillippe, for a plowshare, which had been taken from his plough by M. Cesirre under the alleged pretext that the said Lemay owed him fifteen *francs*. This put him out of condition to do his sowing, and the cost of having it done, according to the certificate of M. Ch. Cadron, was one hundred *francs*.

Joseph Cesirre says that it is true that he took the plowshare, but only because the said Lemay owed him fifteen *francs* for his imprisonment at his house and that, if he had paid him, he would not have done it.[1]

The Court condemned M. Cesirre to repay to the plaintiff what it had cost him to have his sowing done, after retaining the fifteen

may date back to the British period, when Cesirre's father was judge and commandant at Cahokia.

rendre au demendeur Sa charue garni tel quel Etoit Lorsquil y a touché. Et ce ches Luy a S^t philipe. Et Le deffendeur a payer Les fraix. apres avoir retenu quinze Livre que le Demendeur Luy Doit pour L'emprissonnement ches luy.

f. saucier Clark G. Blin

a une Cour tenu Le 8 aoust 1782.

président G. Blin	Louis Lebrun
piere Granmon	Gabriel Baron
B^te Baron	B^te Dubuque
B^te Alary	Présent

Demendeur GABRIEL CERRÉ Deffendeur ANT ARMANT

Le demendeur poursuit le deffendeur pour une Somme de mil Six Cent quarante Six livres tant pour un negre que pour une terre quil Luy a eté adjugé a L'ancan de feu Sieur nicol Suivant Son obligation, Et Expose en outre Led^t sieur demendeur quil auroit deja fait Sinifié audit Deffendeur de payer Son obligation Et L'ayant refusé de faire, il demende L'interest depuis deux ans que La Demende En a Ete faitte.

Le deffendeur repond par Sa requette que Ladite [*sic*] Negre ayant Eté apres trois mois dachap attin [*sic*] Et Convincu d'avoir Empoisonné son maitre Et Sa maitresse quil a Eté Contrain par ordre de Livrer Led^t negre a la Justice Et quil ne Devoit pas Le payer.

Le demendeur repond Encore que Lorsque Le negre a Eté vendu quil avoit eté Jusquil a Connu pour un Bon Sujet, et que Si le Deffendeur ne lut point acheté un autre L'auroit fait.

La Cour ayant examiné Les demendes Et Deffence L'obligation du Sieur ant armant Elle L'a Condanner a payer au demendeur Son obligation ainsi que L'interest dud^t obligation depuis Son Echeance et les fraix.

La Cour Est ajourné au Jeudy 5 7bre.

f fr saucier Clark G Blin

[1] The name of the negro was Pompée, and he was under arrest at the time Manuel and Moreau were convicted for poisoning the Nicolles. See *supra*, p. 13 *et seq.* This case occupies the attention of several sessions. See pp. 137, 193, 196, n. 1.

livres which was owed him for imprisonment at his house, and to return to the plaintiff the plow in the same condition it was in when he meddled with it, and this at his house in St. Philippe; and the defendant is to pay the costs.

F. Saucier, Clerk. G. Blin.

At a Court held August 8, 1782.

President, G. Blin.	Louis Lebrun.
Pierre Grandmont.	Gabriel Baron.
Bte. Baron.	Bte. Dubuque.
Bte. Alarie.	Present.

Gabriel Cerré, Plaintiff, vs. Ant. Harmand, Defendant

The plaintiff sues the defendant for a sum of one thousand and forty-six *livres*, according to his obligation given for a negro and a plantation which were adjudged him at the auction of the late M. Nicolle's property; and the plaintiff further shows that he has already notified the defendant to pay his obligation and, since he has refused to pay, he demands interest for the two years since the demand was made.

The defendant answers by a petition in which he affirms that the said negro, three months after purchase, was arrested and convicted of having poisoned his master and mistress; and that he had been compelled by order to deliver the said negro to justice, and therefore he ought not to pay for him.[1]

The plaintiff answers that when the negro was sold, he had been known for a person of good character; and that, if the defendant had not bought him, some one else would have done so.

The Court, after examining the prayers, the defence and the obligation of M. Ant. Harmand, condemned him to pay to the plaintiff his obligation and the interest, since its maturity, and the costs.

The Court adjourned to Thursday, September 5.

Fr. Saucier, Clerk. G. Blin.

a une Cour du 9 7bre 1782.

Président Geo. Blin	Louis Lebrun
Pierre Granmon	Gabriel Baron
B^te^ Baron	Jean B^te^ Dubuque
B^te^ alary	Present

Demendeur GABRIEL CERRÉ Deffendeur ANT ARMANT

Le demendeur represente a la Cour qu'en vertu de La Santance qui a Eté rendu Contre Le Deffendeur La Cour derniere, il auroit fait Sinifier La ditte Sentance aud^t^ Deffendeur mais quayant reffusé de payer Son obligation, il demende une Saisi Sur tout Les biens du deffendeur Et une Execution pour parvenir au parfait payement.

Le deffendeur repond que tant qu'a L'article dune terre qui Luy a Eté adjugé quil Est prest a La payer, mais que pour le negre il en veut rapeller a La virginie et demende quil Luy Soit permis de la faire.

Le deffendeur ayant Eté Condanné a la cour derniere de payer Son obligation ainsi quil Est Expliqué dans La Santance. Et ne L'ayant pas fait La Cour a accordé au demendeur une Execution Sur Les Biens du deffendeur pour Etre vendu Jusqu'a La Somme de son obligation ainsi que Linterest Et Les fraix. Sauf au deffendeur apres a en rapeller ou Bon Luy Semblera.

La Cour Est ajourné a Jeudy 3^e^. 8bre.

f. saucier Clark G Blin

Président G. Blin	Louis lebrun
pierre Granmon	Gabriel Baron
B^te^ Baron	B^te^ Dubuque
B^te^ alary	Present

Joseph travercy ayant paru a pris Le Serment de fidelité ainsi que celuy de cherif de la cour.

Joseph Lepage présente une requette par laquelle il demende une assemblé de parens et damy pour La nomination d'un tuteur a Leon Lepage.

La Cour a accordé au Sieur Lepage Suivant Sa demende.

fr. saucier G. Blin

[1] No date given.

At a Court, September 9, 1782.

President Geo. Blin.	Louis Lebrun.
Pierre Grandmont.	Gabriel Baron.
Bte. Baron.	Jean Bte. Dubuque.
Bte. Alarie.	Present.

Gabriel Cerré, Plaintiff, *vs.* Ant. Harmand, Defendant.

The plaintiff shows the Court that in virtue of the decree which was rendered against the defendant at the last Court, he had served notice of the said decree on the said defendant; but since he refused to pay his obligation, he prays for a writ of seizure on all the goods of the defendant and an execution in order to obtain full payment.

The defendant answers that as to the item of a plantation which was adjudged him, he was ready to pay for that; but that he wishes to appeal to Virginia in regard to the negro, and prays that he be permitted to do so.

Since the defendant was condemned at the last Court to pay his obligation, as was explained in the decree; and since he has not done so, the Court granted the plaintiff a writ of execution on the goods of the defendant in order that they be sold up to the sum of the obligation, interest and costs, saving to the defendant the right to appeal wherever it shall seem best to him.

The Court adjourned to Thursday, October 8.

F. Saucier, Clerk. G. Blin.

President G. Blin.	Louis Lebrun.
Pierre Grandmont.	Gabriel Baron.
Bte. Baron.	Bte. Dubuque.
Bte. Alarie.	Present.

Joseph Travercy appeared and took oath of fidelity and also that of sheriff of the Court.

Joseph Lepage presents a petition, in which he prays for an assembly of relatives and friends to name a guardian for Leon Lepage.

The Court granted this to M. Lepage according to his prayer.

Fr. Saucier. G. Blin.

a une Cour du 7ie 9bre 1782.

Président G. Blin — Bte Dubuque
P. Granmon — Gabriel baron
L lebrun — Present

une requette présenté par Mr fr. trottier qui demende La vente de la maison de veuve lapierre, Suivant L'opignon des parrens et amy.

La Cour a accordé audt Sieur trottier Suivant Sa demende.

a une même Cour une Comission de procureur des Etat présenté par Mr Labuxierre demendant Lenregistrement de la ditte Comission dans Les registre de ce Siege, Et a preté Serment de Son office.

La Cour a accordé audt Sieur Labuxiere Suivant Sa demende.

a une même Cour Joseph Belcour Demende par une requette Son Ementipation dage pour Jouir de Ses Biens Et Se faire rendre Compte.

La Cour a accordé audt Belcour suivant Sa demende.

Demendeur Louis TROTTIER — Deffendeur J. Bte LACROIX

le demendeur poursuit Le deffendeur pour un Cochon quil Luy a Eté tué dans Prairie comme ayant Passé par sa Cloture.

Le deffendeur repond que le même Jour que les Cochon ont passé par les Cloture quil y avoir deux autre Breche aux autre autre [*sic*] cloture une a celle de L. trottier Et a celle de cadien une autre Et quil pouroit Ce faire que Les Cochons auroit par d'autre Breche que par celle de sa Cloture, Le demendeur fait Serment quil na rien passé par La Breche de Sa Cloture mr Gagné fesant La visite Ce Jour La ayant paru a fait Serment quil ne Se point aperçu quil auroit passé de Cochon par dautre Cloture que Celle de Jn Bte Lacroix.

Vue Des demendes et deffance le Sertificat de louis trottier La declaration de raphael Gagé Son Serment La Cour a Condanné Le deffendeur a rendre un Cochon pareil au deffendeur ou a luy payer.

démendeur L. TROTTIER — Deffendeur Bte SAUCIER

a une même Cour le demendeur poursuit le deffendeur pour un Cochon qui a passé par la Bariere Comme Son negre en est le gardien.

[1] The commission is printed on p. 487.

[2] The gate was situated near the village close to the Jarrot house, which at the present time is used as a convent school, and gave entrance to the common field.

At a Court, November 7, 1782.

President G. Blin. Bte. Dubuque.
P. Grandmont. Gabriel Baron.
L. Lebrun. Present.

A petition presented by M. Fr. Trottier, in which he prays for the sale of the house of Madame Lapierre, widow, in accordance with the vote of relatives and friends.

The Court granted this to M. Trottier according to his prayer.

At the same Court a commission of state's attorney was presented by M. Labuxiere, who prays for the registry of the said commission in the records of this Court; and he took oath of office.[1]

The Court granted this to M. Labuxiere according to his prayer.

At the same Court Joseph Belcour prays by petition for his writ of livery to enjoy his property and to have account rendered.

The Court granted this to the said Belcour according to his prayer.

Louis Trottier, Plaintiff, *vs.* Jean Bte. LaCroix, Defendant.

The plaintiff sues the defendant for a pig of his, which was killed in the prairie, and declares that it passed through the defendant's fence.

The defendant answers that on the same day that the pigs passed through the fence there were two other breaks in other fences, one in L. Trottier's and another in Cadien's and points out that it might have happened that the pigs passed through another gap than through that in his fence. The plaintiff made oath that nothing passed through the gap in his fence. M. Gagné, who made the inspection that day, appeared and made oath that he had not seen the pigs pass through other fences than that of Jean Bte. LaCroix.

In view of the prayers, the defence, the certificate of Louis Trottier and the declaration under oath of Raphael Gagné, the Court condemned the defendant to deliver a similar pig to the plaintiff or to pay him

L. Trottier, Plaintiff, *vs.* Bte. Saucier, Defendant.

At the same Court the plaintiff sues the defendant for a pig, which passed the gate,[2] of which the defendant's negro is the guardian.

Le deffendeur repond que led^{t} Cochon a profité du moment que legre [*sic*] ouvroit la Bariere au charette qui vont Et viene Et neanmoins il auroit fait Son possible ainsi que le fis de Jo^{h} mesonville a empecher de passer led^{t} Cochon a quoy il n'ont pas reussir.

Le deffendeur produit un Sertificat de m^{de} laflame qui declare que le negre a fait tout Son possible pour ramener Led^{t} Cochon ainsi que les Enfans dud^{t} demendeur Et quelle auroit entendu dire par M^{de} trottier revené La truye reviendra Sessoir.

Veu Les demendes Et deffence Le Sertificat La Cour a Condanné le demendeur a perdre Son Cochon vue que Cest une chose que l'on a pas pu prevoir Et en outre que Sa femme ne devoit pas les rapeller, Et faire que peut Etre il auroit ramener Led^{t} Cochon.

La Cour Est ajourné a jeudy 7, Dexenber 1782.

fr. saucier clark. G Blin

a une Cour du 27 9bre Extraordinaire.

Président Geo. Blin	Louis lebrun
pierre Granmon	Gabriel Baron
B^{te} Baron	B^{te} Dubuque

Present

Demendeur M^{de} BEAULLIEU Deffendeur ANT ARMANT

Le demendeur poursuit le deffendeur pour une somme de quartorze cent livres En pelleterie qui luy Sont due, Et Echu depuis quelque tems.

Le deffendeur repond qui ne luy Est pas possible de faire cette Somme vue L'impossibilité de trouver de la pelleterie Et que qu'une même Sil venderais tous Ses Biens il ne Suffiroit pas pour faire Laditte Somme.

La Cour a ordonné au Deffendeur de prendre des arengement avec le demendeur.

Le deffendeur a prix des arrengement avec m^{r} trottier a qui qui Le demendeur Doit pour La ditte Somme et est par ce moyen liquider avec le demendeur.

f., saucier, clark G, Blin

The defendant answers that the said pig profited by the moment that the negro opened the gate for a cart which goes and comes, and yet the negro had done his best, as had also the son of Jos. Maisonville, to hinder the said pig from passing, in which they had not succeeded.

The defendant produces a certificate by Madame Laflamme, in which she declares that the negro and also the children of the said plaintiff did their very best to drive the pig back; and that she had heard Madame Trottier say: "Come back, the sow will return this evening".

Considering the demands, the defence and the certificate, the Court condemned the plaintiff to lose his pig, seeing that what had happened could not be foreseen, and furthermore that his wife ought not to have recalled the children, and ought to have acted so that they might, perhaps, have brought the said pig back.

The Court adjourned to Thursday, December 7, 1782.

Fr. Saucier, Clerk. G. Blin.

At a special session of the Court, November 27.

President Geo. Blin. Louis Lebrun.
Pierre Grandmont. Gabriel Baron.
Bte. Baron. Bte. Dubuque.

Present.

Madame Beaulieu, Plaintiff, *vs.* Ant. Harmand, Defendant.

The plaintiff sues the defendant for the sum of fourteen hundred *livres* in peltries, which are due her and since some time fallen due.

The defendant answers that it is impossible to make up this sum because of the impossibility of finding peltries and that even if he sold all his property, it would not be sufficient to make up the said sum.

The Court ordered the defendant to make some arrangement with the plaintiff.

The defendant made arrangements with M. Trottier, to whom the plaintiff is indebted for this sum, and who will settle with the plaintiff by this means.

F. Saucier, Clerk. G. Blin.

a une Cour 14 xbre par extraordinaire.

Président George Blin Louis Lebrun

pierre Granmon J^n B^te Dubuque

Present

Demendeur RENÉ BOUVET Deffendeur LOUIGAU

Le demendeur poursuit Le deffendeur pour avoir Sans Luy avoir porté aucune plainte contre Son negre Et Luy avoir donné un Si mauvais Coup a la tête D'un Coup de Baton qui le m'est or detat de travaillé, Et demende quil soit tréte au depend du deffendeur, Et le tor que sela luy fait etant dans Des travaux.

Le deffendeur repond quil auroit frapé le negre apres luy avoir dit par différentes fois de sortir de chés Luy Comme il alloit demendé a Son frere ce quil luy devoit Et que n 'ayant pas voulu Le faire il L 'auroit frapé.

Le demendeur représente que le Deffendeur n 'auroit pas due frapé Son negre d 'un Coup Si dangereux, Et que Si il luy etoit venue porté Ses plainte quil luy auroit donné toutte satisfaction.

Le deffendeur repond que Si le negre nut pas En Son absance pri deux rat de Bois malgré sa femme Sous Le pretexte que Cetoit son frere qui les avoit atrapé Et qui devoit au negre du demendeur.

Le negre ayant paru a dit que M^de Louigau Luy avoit dit de Les prendre et quil ne les auroit pas pris Sans Cela.

Madame Louigau ayant paru a prété Serment de dire La Verité, Et a dit que le negre est venu ches elle luy demendé ou etoit Son Beau frere, a qui il avoit Loué Son cheval pour de La viande Et que n 'ayant trouvé que deux rat de Bois Sur Sa table que Son Beau frere Luy avoit donné quil Les auroit pris malgré Elle, et Etant retourné une Seconde fois, ches elle Et apres avoir repeté a Son mari La façon d 'agir du negre En Son absence, Et qu'apres avoir dit au negre de Sortir de chés Luy plusieur fois Et que n 'ayant pas voulu Le faire il L 'auroit frapé led^t negre.

La Cour a ordonne que le deffendeur payeroit au demendeur Cinquante franc, pour avoir maltretté Son negre de la façon quil

At a special session of the Court, December 14.

President, George Blin. Louis Lebrun.
Pierre Grandmont. Jean Bte. Dubuque.

Present.

René Bouvet, Plaintiff, *vs.* Louis Gaud, Defendant.

The Plaintiff sues the defendant for having struck his negro, without having made any complaint against him, so severe a stroke on his head with a club that he could not work; and he prays that the negro be cured at the defendant's expense and that the latter pay him for the injury to his work, which that loss of time did him.

The defendant answers that he had struck the negro after having told him several times to leave his house, when he demanded of his brother what the latter was owing him; and that, when the negro was unwilling to obey, he struck him.

The plaintiff shows that the defendant ought not to have struck his negro so dangerous a blow, and that, if he had come to make complaint to him, he would have given entire satisfaction.

The defendant answers that the negro should not have taken in his absence two raccoons in spite of his wife, under pretext that the defendant's brother, who was in debt to the plaintiff's negro, had trapped them.

The negro appeared and said that Madame Louis Gaud had told him to take them, and that he would not have taken them otherwise.

Madame Louis Gaud appeared and made oath to tell the truth, and said that the negro came to her house and asked where her brother-in-law was, to whom he had let his horse in exchange for meat; and that having found on her table only two raccoons, which her brother-in-law had given to her, he took them in spite of her; and when he returned a second time, after she had told her husband of the action of the negro in his absence, her husband told the negro several times to leave; and, when he wouldn't do it, he struck the said negro.

The Court decreed that the defendant should pay the plaintiff fifty *francs* for having maltreated his negro in the way he did;

La fait Et Le demendeur fera Donné a Son negre vingt cinq Coup de fouet pour punir insolance, et payeront Les fraix de Lextraordinaire Entre eux deux.

La Cour Est ajourné a Jeudy 2 Janvier.

G Blin

a une Cour du 3ie avril 1783.

Président G. Blin	Louis lebrun
Bte Baron	Gabriel Baron
Bte alary	Bte Dubuque

Present

une requette présente par le Sieur fr. trottier demendant a la Cour quayant Eté nomé avec Les Sieurs Cecire Beaullieu et nicol pour lexecution du testament de feu portemay, et que par le decés de Ses trois derniere il nauroit pu rien faire a Ce Sujet et que Comme le feu Sieur Beaulieu En Etoit Lexecuteur testamenter il Suplie Laditte Cour de vouloir Bien En nomer d 'autre affin de visiter Les Comptes dudt sieur Beaullieu a Ce Sujet Et luy faire rendre Compte Suivant Comme Le Cas L 'exige; demende En outre ledt Sieur trottier par Sa ditte requette que Se trouvant obligé par Ses affaires de quitter Le village pour quelque tems il il [*sic*] prie tres humblement Laditte Cour de vouloir Bien luy tenir de lieu et place En Sa qualité de Comdt audt lieu, pour mintenir La Bonne intelligence Et Lunion telle quelle a toujour régné.

La Cour a nomé a Leffet de L 'execution du testament de feu portemay Les Sieur Bte LaCroix G. Blin Et Bte Saucier Suivant La Demende du Sieur trottier accorde ainsi que Ses autres demendes.

a une même Cour le Sieur pierre roy, porte plainte, que plusieurs habitant refuse de faire Cloture Commune, Ettant obligé d 'en faire Comme d 'autre, au non et Comme Sindic.

La Cour a ordonné au Sindic de faire faire Les dittes Clotures au depans de ceux qui le refuse, Lotorizant par nôtre ordre de le faire.

La Cour Est ajourné au 1ie de may Jeudy.

fr. saucier Clark. G. Blin

[1] Nicolle was poisoned in 1778. Michel Palmier called Beaulieu died in 1780 and Joseph Cesirre about 1779.

and that the plaintiff have his negro given twenty-five strokes with the whip to punish his insolence; and that both shall pay the costs of the special session.

The Court adjourned to Thursday, January 2.

G. Blin.

At a Court, April 3, 1783.

President, G. Blin.	Louis Lebrun.
Bte. Baron.	Gabriel Baron.
Bte. Alarie.	Bte. Dubuque.

Present.

A petition presented by M. Fr. Trottier, in which he prays the Court, since he had been named with MM. Cesirre,[1] Beaulieu and Nicolle to execute the last will and testament of the late Portemay, and by the decease of these last three he had been able to do nothing in the matter, and since M. Beaulieu was the testamentary executor, that the said Court be willing to name another to examine the accounts of the said M. Beaulieu in the case and to have account rendered to him, as the case requires. Furthermore the said M. Trottier prays the Court very humbly that, since he is obliged by his private affairs to leave the village for some time, the said Court will take his place as commandant of the said village in order to maintain good harmony and union, such as has always reigned.[2]

The Court named with a view to the execution of the last will and testament of the late Portemay MM. Bte. Lacroix, G. Blin, and Bte. Saucier, in accordance with the prayer of M. Trottier, and granted him also his other prayers.

At the same Court Pierre Roy, personally and in his office as syndic, makes complaint that several inhaitants refuse to build the common fence, although obliged to make part of it as are the others.

The Court ordered the syndic to have the said fences made at the expense of those who refuse, authorizing him by our order to do so.

The Court adjourned to Thursday, May 1.

Fr. Saucier, Clerk. G. Blin.

[2] Trottier was preparing to go to Kentucky to appear before the Virginia commissioners to prove his and his neighbors' claims to payment for supplies furnished the Virginia troops. See *Introduction*, pp. cxix. *et seq.*

a une Cour du 8 may.

Président B^{te} dubuc	B^{te} alary
B^{te} Baron	Ga^{l} Baron

Present

un [*sic*] requette présenté a la Cour par philipe Laflame représentant que Comme il ny a point Eu D'invantaire de faitte des Biens delessé par feu Charle Laflame Son pere Lorsque marie Joseph Larché Ses [*sic*] remarié En Seconde noce Son age ne luy permettent point de prendre Ses propre interest, il demante quil soit Elu un Curateur, Et que led^{t} invantaire Soit fait. Pour parvenir a partage.

La Cour accordé a la demende de philipe Laflame.

La Cour Est ajourné a Jeudy 22 du Cour^{t}.

fr. saucier Clark B Dubuque

a une Cour du 26 may 1783.

B^{te} Dubuque	B^{te} alary
Pierre Granmon	Louis lebrun
B^{te} Baron	Gabriel Baron

Present

La Cour Etant assemblé pour prendre les Serment des Sieurs Jos^{h} Bellefeuil Louis lebrun fr Courié Jen. B^{te} dehay, ant Lamarche, pierre Quenel, et Jo^{h} Lapencé, pour prendre leur place En qualité de majistrat ayant Eté nomé par le Sufrage des voix pour remplacer les Encien majistrat. Les Susdit S^{r} Bellefeuil lebrun Courié dehay Lamarche quenel Et Lapancé ayant paru ont pris le Serment de fidelité ainsi que Celuy d 'office Et ont pris leurs Place En qualité de majistrat.

a une même Court Joseph traversy a prix le Serment de fidelité Et dofice de Bailif de la ditte Cour.

fr. saucier a prix le Serment de fidelité ainsi que celuy d 'office En qualité de Greffier de la ditte Cour.

a une même Cour une requette présenté par Gabriel Baron tant en Son nom que Comme ayant Epousé Marie Louise Butau demendant que le retrait liage Soit accordé a Sa femme en faveur dune maison que M^{r} Butau Son pere a vendu au S^{r} Lacroix

At a Court, May 8.

President, Bte. Dubuque. Bte. Alarie.
Bte. Baron. Gabriel Baron.

Present.

A petition presented in Court by Philippe Laflamme showing that there never was made in fact an inventory of the property left by his father, the late Charles Laflamme, when Marie Joseph Larché entered into second marriage, since his age did not permit him to look after his own interests; and he prays that a curator be elected and the said inventory be made in order to arrive at a partition.

The Court granted the prayer of Philippe Laflamme.

The Court adjourned to Thursday, the 22nd of the present month.

Fr. Saucier, Clerk. B. Dubuque.

At a Court, May 26, 1783.

Bte. Dubuque. Bte. Alarie.
Pierre Grandmont. Louis Lebrun.
Bte. Baron. Gabriel Baron.

Present.

The Court assembled to receive the oaths of MM. Jos. Bellefeuil, Louis Lebrun, Fr. Courier, Jean Bte. Deshayes, Ant. Lamarche, Pierre Quenel and Jos. Lapancé that they may take their places as magistrates, having been elected by the votes to replace the former magistrates. The above mentioned MM. Bellefeuil, Lebrun, Courier, Deshayes, Lamarche, Quenel and Lapancé appeared and took the oath of fidelity and also that of office and took their places as magistrates.

At the same Court Joseph Traversey took the oath of fidelity and of office as bailiff of this Court.

Fr. Saucier took the oath of fidelity and also that of office as clerk of the said Court.

At the same Court a petition presented by Gabriel Baron both in his name and as having married Marie Louise Buteau, in which he prays that the right of lineage repurchase of a house be

Comme Etant le propre heritage de Sa mere qui ne doit point sortir de la famille en remboursant le prix dachat, aux même terme Et Condition quil La acheté.

La Cour a ordonné que Gabriel Baron aura La possession de laditte maison Et remboursera au S^r^ Lacroix le prix dachat au même terme et Condition quil L 'a acquis.

Le Sieur Butau ayant paru a demendé a la Cour Si il Luy auroit Eté permis de ventre Sa maison a un de Ses Enfans que Son intention Etoit de le faire, mais ayant Ecrit a M^r^ Labuxiere (auffet des Loix) a ce Sujet et quil luy auroit dit quil ne pouvoit pas le faire.

La Cour a renvoyé la présente affaire a Jeudy prochain netant point de Sa Competance ou L 'on y fera paroitre Monsieur Labuxiere.

La Cour Est ajourné a Jeudy 5 Juin.

fr. saucier Greffier pierre quenel

a une Cour du 5 Juin 1783.

président pierre Quenel	Louis lebrun
fr. Courrié	Joseph lapancé
ant Lamarche	Joseph^h^ Bellefeuil
Jn B^te^ Dehay	Présent

Joseph Belfeuil ayant paru a prété le Serment de fidelité, aux Etats, ainsi que Celuy de majistrat Et a pris Sa place En sa dite qualité de majistrat.

TRAVERSY Demendeur POUR M^r^ REYNAL deffendeur m^r^ GRANMON.

Le demendeur poursuit le deffendeur pour un Compte de medicament montant a 27^lb^ Le deffendeur repond quil na point de Connoissance du d^t^ Compte qu 'en partie, offrant dans faire Serment.

La Cour a renvoyé Le present procés a la cour prochaine ou M^r^. reynald paroirtra pour prouver son Compte.

[1] The "*retrait lignager*" (incorrectly spelled in the *Record*) was a survival in French law from more primitive times, when property belonged to the family. After the individual's land was separated from that of the family, it might be alienated by sale, but according to the right of *retrait lignager* the nearest of kin might repurchase the land by repaying the purchase money. Other methods of alienation of land were not subject to this right. The *retrait*

granted to his wife.[1] The petitioners explain that their father sold the house to M. LaCroix, although it was the heritage of their mother and should not have gone out of the family; and that they are ready to pay back to M. LaCroix the purchase money on the same terms and conditions that he bought it.

The Court ordered that Gabriel Baron shall have the possession of the said house and shall repay to M. LaCroix the purchase price on the same terms and conditions, that he bought it.

M. Buteau appeared and asked the Court if he would be permitted to sell his house to one of his children. He says that he intended to do so, but wrote on the subject to M. Labuxiere, who is acquainted with the law, and who said that he could not do so.[2]

The Court, not being competent to answer, postponed the present affair to next Thursday, at which time they will have M. Labuxiere appear.

The Court adjourned to Thursday, June 5.

Fr. Saucier, Clerk. Pierre Quenel.

At a Court, June 5, 1783.

President Pierre Quenel.	Louis Lebrun.
Fr. Courier.	Joseph Lapancé.
Ant. Lamarche.	Joseph Bellefeuil.
Jn. Bte. Deshayes.	Present.

Joseph Bellefeuil appeared and took the oath of fidelity to the States and also that of magistrate and took his place as magistrate.

Traversy, Plaintiff for M. Reynal,

vs. M. Grandmont, Defendant.

The plaintiff sues the defendant for an account for medicine amounting to 27 *livres*. The defendant answers that he has no knowledge of the said account except in part, and offers to take his oath thereto.

The Court continued the present suit to the next Court, when M. Reynal will appear to prove his bill.

lignager was abolished in July, 1790.—De Farriere, *Coutume de Paris*, ii., 587 *et seq.*; Viollet, *Hist. du droit civil Français*, 609; Glasson, *Hist. du droit et des institutions de la France*, vii., 561 *et seq.*

[2] Probably because of the complexity of legal rights growing out of the union of two or more communities of goods.

Demendeur TRAVERSY pour M. REYNAL deffendeur, M^de^.
HENSON

Le demendeur poursuit le deffendeur pour une Somme de Cent huit livres suivant un Compte de medicament pour la maladie de feu Son marie Et pour Eux.

le deffendeur a Etté assigné de paroitre pour deffendre Sa Cause Et nayant point paru La Cour a ordonné que led^te^ [*sic*] deffendeur payera Le demendeur Suivant son Compte.

Demendeur B^te^ DUMAY Deffendeur PIERRE MALET

Le demendeur poursuit le deffendeur disant quil auroit attrapé un poullin au bout de la prairie de legle Sous le pretex dit il quil le Croyoit maron Et Comme Se poulin n 'a Eté reclamé de personne Et que le demendeur a En perdu un de même age Et Couleur en Consequence il produit a la Cour deux Sertificat qui disent avoir vue a la Suitte de la Jument du demendeur un pareil poulin de même age Et Couleur que celuy que le deffendeur a attrapé.

La Cour a ordonné au deffendeur a livrer au demendeur Led^t^ poulin, Comme paroissant luy appartenir Et a deffendu aud^t^ deffendeur de ne prendre aucun animal Dans la Comune point marqué qui ne Soit Bien Sur quil luy appartienne nayant Eu aucun droit de prendre celuy cy. Et au deffendeur a payer Les fraix.

a une même Cour une requette présenté par Gabriel Baron Et sa femme qui demende Lexecution de la Sentance rendu par laditte Cour au Bas dune requette qui demende le retrait Lignager des Biens fonds vendu par le S^r^ Butau Leur pere au S^r^ Lacroix.

En Consequence la Cour a ordonné quil Sera Sinifié au Sieur turgeon de Deguerpir de laditte maison Sans delay moyenant que les retreyanc luy fourniront un Logement pour trois mois telle que led^t^ Baron loffre dans Sa ditte requette En datte de Ce Jour, notre oppignon Etant qui ne Soit pas necessaire quil Soit només arbitrages, La Loix Decidant Clerment de Ce Cas.

La Cour Est ajourné a Jeudy 2^ie^ de Juillet.

fr. saucier Clark pierre quenel president

[1] See *supra*, p. 149.

Traversy, Plaintiff for M. Reynal,

vs. Madame Henson, Defendant.

The plaintiff sues the defendant for the sum of one hundred and eight *livres* according to an account for medicine for the sickness of her late husband and for herself.

The defendant was summoned to appear and defend her cause; and not appearing, the Court ordered that the said defendant shall pay the plaintiff according to his account.

Bte. Dumay, Plaintiff, *vs.* Pierre Mallet, Defendant.

The plaintiff sues the defendant, saying that the latter had caught a colt at the end of the Eagle Prairie pretending that he believed it wild; and since this colt had been reclaimed by no one and the plaintiff had lost one of the same age and color, he produced in Court two certificates from persons, who said that they had seen following the plaintiff's mare a similar colt of the same age and color as that which the defendant caught.

The Court ordered the defendant to deliver to the plaintiff the said colt, since it appeared to belong to him, and forbade the defendant to take in the commons any unmarked animal which he was not sure belonged to him, as he had no right to take this one; and ordered the defendant to pay the costs.

At the same Court a petition presented by Gabriel Baron and his wife, in which they pray for the execution of the judgment rendered by the said Court at the bottom of a petition demanding the right of lineage repurchase of the landed property, which was sold by M. Buteau, their father, to M. Lacroix.[1]

Accordingly the Court decreed that notice shall be given M. Turgeon to give up the possession of the said house without delay, in return for which the repurchasers shall furnish him lodgings for three months, such as the said Baron offers in the said petition dated this day. It is our opinion it is not necessary to name arbitrators, since the law decides clearly in this case.[2]

The Court adjourned to Thursday, July 2.

Fr. Saucier, Clerk. Pierre Quenel, President.

[2] One of the few cases where a body of law is mentioned. In this case the law referred to is the *Coutume de Paris*.

a une Cour du 11 Juin par Extraordinaire.

La Cour a Eté assemblé au nom du public pour chaq 'un faire Borner une quantité de terre dans la prairie du pont, Chaq 'un Suivant leur Besoin pour la culture, ainsi que pour La Comune. La Cour a dessidé, unanimement, quil Sera Dressé une acte Dassemblé Signé des habitant ou les Limites des terres, Et autre Conventions Seront prescritte.

a une Cour du 3ie Juillet 1783.

président pierre quenel — J. Bte dehay

fr. Courié — Louis lebrun

ant. Lamarche — Prest

Demendeur CLAUDE GAGNÉ Deffendeur J Bte GAFFÉ

Le demendeur poursuit le deffendeur pour une Somme de Cent Cinquante livres En pelleterie pour avoir Eté Engagé par M. Brisbois son Comis pour aler Jusq'ua chicagou Suivant le mandat tirré Sur luy par son dit Comis.

Le deffendeur repond quil n'avoit point autorisé Son Comis a Engagé personne luy ayant donné le monde necessaire pour le voyage Et que ledt Demendeur auroit Son recour sur son Commis pour laditte Somme de Cinquante Ecus, Exépté trente livres En argent que le demendeur a Eté Convenu D'avoir pour aller Jusq'ua payssa.

La Cour a Condanné le deffendeur a payer au demendeur La Somme de Cinquante Ecus Suivant L'engagement du demendeur par M. BrisBois Son Commis pour avoir Ete Jusqua chicagou y mener Ses voiture, Sauf au Deffendeur a avoir recour Sur son Commis si il y a Eu tor de le faire, Et a payer les Fraix.

La Cour Est ajourné aux 7ie aoust.

fr. saucier Greffier, — pierre quenel

[1] There are printed in this volume several documents in regard to the settlement of Prairie du Pont. The right of the villagers to the land rested on a concession made to the Seminary of Foreign Missions on June 22, 1722. The villagers were obliged to defend their rights against several other claimants, but finally the land was confirmed to them by the United States.

At a special session of the Court, June 11.

The Court was assembled in the name of the public in order to have each establish the boundaries of a quantity of land in the Prairie du Pont according to his needs for cultivation, and also to lay out the commons. The Court decided unanimously that there shall be drawn up an act of assembly signed by the inhabitants, in which the limits of the lands and other agreements shall be written.[1]

At a Court, July 3, 1783.

President, Pierre Quenel. J. Bte. Deshayes.
Fr. Courier. Louis Lebrun.
Ant. Lamarche. Present.

CLAUDE GAGNÉ, Plaintiff, *vs.* J. Bte. GAFFÉ, Defendant.

The plaintiff sues the defendant for a sum of one hundred and fifty *livres* in peltries for a trip to Chicago, for which he was hired by M. Brisbois, the defendant's clerk, according to a draft drawn on the defendant by the said clerk.

The defendant answers that he did not authorize his clerk to engage any one, since he had furnished him the men necessary for the journey; and that the said plaintiff should have recourse against his clerk for the said sum of fifty *ecus*, except thirty *livres* in cash, which the plaintiff has agreed to pay him for going to Payssa.[2]

The Court condemned the defendant to pay the plaintiff fifty *ecus*, in accordance with the agreement with the plaintiff made by M. Brisbois, the defendant's clerk, for conducting his boats to Chicago, reserving to the plaintiff the right of recourse against his clerk, if there was wrong in making the agreement, and to pay the costs.

The Court adjourned to August 7.

Fr. Saucier, Clerk. Pierre Quenel.

Amer. State Papers, Public Lands, ii., 194; this vol., pp. 88, 581. The court parceled the land among those who wished to settle there. See below, pp. 159, 565, 591.

[2] Situated about opposite the mouth of the Missouri River.

a une Cour du 4 9bre 1783.

Président pierre Quenel Louis lebrun
fr. Courier Jos[h] Lapancé
ant. Lamarche Pres.

Demendeur CLEMENT ALARY Deffendeur JOSEPH CECIRE

Le demendeur poursuit le deffendeur Disant quayant Eu Son Enfant ches luy auquel Sa femme auroit porté tous ses soin pendant lespace de Six mois Et au bout duquel tems il auroit retirer son d[t] Enfant. Sans vouloir payer aud[t] demendeur Se qui convient pour Ses peines.

Le deffendeur repond que Si il a Donné son Enfans a la femme du Demendeur que Ce na Eté que par les Solisitation de la femme du demendeur de prendre Son Enfans. disant que Cetoit le dernier Service quelle pouvoit rendre a Sa mere delver Son Enfans. Et quil ne luy en Couteroit rien. Et que néanmoins Son intention netoit pas de lesser Son Enfans Sans Satisfaire les personnes qui En prenoit Soin.

La Cour a Condanner le Deffendeur a payer Six cent Livres de farine pour Les Six mois que Son Enfans a Eté ches le demendeur. Et a payer Les fraix.

Demendeur m[rie] DURAND deffendeur FR ARNOUS

le demendeur poursuit le deffendeur disant quayant Engagé le deffendeur pour aller dans riviere des Illinois moyenant un Cheval quil luy donnoit a Son retour. mais qu'en ayant reçue un dans la riviere des Illinois duquel il etoit Contant, Et qu'aprés il auroit dit au nomé Laforce chargé de faire La traitte pour le demendeur que Si il vouloit traitter un Cheval que les Sauvages avoit amené a eux [?], quil le changeroit avec durant, moyenent du retour, En consequence led[t] cheval auroit Etoit acheté par led[t] Laforce Et qu'apres il auroit Commender aud[t] francois de L'aller En ferger a luar Et de revenir Ensuitte au Canot Et a la traitte, Et que pandant Ce tems led[t] Cheval auroit Eté voler par les Sauvages. Et demende Que le cheval luy Soit payé par led[t] francois ou laforce.

Le Deffendeur repond qu'en Effet il auroit dit au nomé Laforce quil Changeroit Led[t] Cheval avec durant, Si il le vouloit

At a Court, November 4, 1783.

President, Pierre Quenel. Louis Lebrun.
Fr. Courier. Jos. Lapancé.
Ant. Lamarche. Present.

Clement Alarie, Plaintiff, *vs.* Joseph Cesirre, Defendant.

The plaintiff sues the defendant saying that he has had the latter's child at his house, and that his wife gave it all her care for the space of six months and at the end of that time the defendant had taken his child away without being willing to pay what is right for their trouble.

The defendant answers that if he gave his child to the defendant's wife, it was only because of her earnest request to take the child, saying that the last service she could render its mother was to bring up her child; and she said that it would cost him nothing; and yet he said that it was not his intention to leave his child at the plaintiff's without satisfying those who took care of it.

The Court condemned the defendant to pay six hundred pounds of flour for the six months that his child was at the plaintiff's and to pay the costs.

Marie Durand, Plaintiff, *vs.* Fr. Arnoux, Defendant.

The plaintiff sues the defendant, saying that he had engaged the defendant to go to the Illinois river in return for a horse, which he gave him upon his return; but that he had received one, with which he was content, at the Illinois River; and that after he had said to the named Laforce, who was commissioned to conduct the trade for the plaintiff, that if he wished to trade for a horse, which the savages had brought them, that he would trade it with Durand and get something to boot, the said horse had been bought by the said Laforce in consequence; and afterwards the latter had ordered the said François to go and tie it with withes and return immediately to the canoe and to his business; and that during this time the said horse had been stolen by the savages; and he demands that he be paid for the horse either by the said François or Laforce.

The defendant answers that as a matter of fact he had said to the named Laforce that he would exchange the said horse with

mais que Comme durant ny Etoit point il nont fait auq'un Echange Sertin Et quil avoit a Cet Effets Executer Les ordre dud^{t} Laforce, quil avoit mis le d^{t} cheval ou il luy avoit Eté ordonné Et quapres Etre revenu au Canot led^{t} Cheval auroit eté repris par les Sauvages Suivant Comme il paroit puisquil na pas pu le retrouver Et dit quil ne pouvoit pas En repondre ayant fait Ce qu'on luy avoit ordonné.

La Cour a Condanné led^{t} demendeur a payer au deffendeur un Cheval tel quil Est Convenu Sauf avoir Son recour sur led^{t} Laforce Si il a manqué a ce quil Etoit obligé de faire En Sa place Et a payer Les fraix.

fr. saucier, Greffier pierre quenel

a une Cour du 4 septbre 1783.

Président pierre Quenel Louis lebrun
francois Courié Jos^{h} Lapancé
ant. Lamarche Pres^{t}

une représentation fait a la cour par Mons. trottier disans que Sur les deffences qui ont Eté faitte par la ditte Cour de traitter de leau de vie au Sauvages dans le village sous peines de Confiscation, Et quayant Su par des plainte qu'on luy a porté que M^{r} Isaac Levy a fait fait [*sic*] traitter dans le village Et enivré tous Les Sauvages il auroit fait Saisir un tierson de tafia ches m^{r} Levy, Et Comme il n'en a fait auq'un usage, il demande a laditte Cour ce quelle ordonnera a ce Sujet La Cour a authorizé M^{r} trottier a faire Ce quil jugera a propôs a Ce Sujet vue quil n'a fait quexecuter Les deffence qui ont Eté fait pour Ce Sujet.

La Cour Est ajourné a Jeudy 2^{e} 8^{bre}.

f. saucier Greffier pierre quenel

a une Cour du 29 Janvier 1784.

Presid^{t} J. B^{te} Lacroix J^{h} Lapancé
Jo^{h} Belfeuil J B^{te} Dehay
Louis lebrun Present.

une requette présenté par m^{r} ant Girardin demandant que Chaque habitant fasse chaq'un Leur cloture Des terre quils ont

[1] I have found no explanation for the cessation of the meetings of the court between September and January. President Quenel died during this period.

Durand, if he wished it, but as Durand was not there, they have not made any certain trade; and that he had in these matters executed the orders of the said Laforce, and had put the said horse, where he was ordered; and after he returned to the canoe, the said horse had been retaken by the savages, as it appeared, since he could not find it; and he said that he could not be held responsible, since he had done what they ordered.

The Court condemned the said plaintiff to pay the defendant a horse, such as he had agreed to give, reserving to him recourse against the said Laforce, if he has failed in what he was bound to do in his place; and to pay the costs.

Fr. Saucier, Clerk. Pierre Quenel.

At a Court, September 4, 1783.

President, Pierre Quenel. Louis Lebrun.
François Courier. Jos. Lapancé.
Ant. Lamarche. Present.

A report made to the Court by M. Trottier, in which he says that on account of the prohibitions which were made by the said Court in regard to trading in liquors with the savages in the village under pain of confiscation, and because he had learned from complaints made to him that M. Isaac Levy was carrying on trade in the village and intoxicating all the savages, he had caused the seizure of a cask of tafia at the house of M. Levy; and as he has made no other use of it, he asked the said Court what it will decree on this subject. The Court authorized M. Trottier to do what he shall judge best in this matter seeing that he had only put into execution the prohibition which had been made.

The Court adjourned to Thursday, October 2.

F. Saucier, Clerk. Pierre Quenel.

At a Court, January 29, 1784.[1]

President, J. Bte LaCroix. J. Lapancé.
Jos. Bellefeuil. Jean Bte. Deshayes.
Louis Lebrun. Present.

A petition presented by M. Ant. Girardin, in which he prays that each inhabitant should make his own fence along the front of the land which he has taken up in Prairie du Pont, and that the

pris dans la prairie du ponds Et chaq'un Sur La deventure a leur terre Et que la Cour aye a ordonné auxd[ts] habitant un tems fixe pour lad[tte] cloture Et que les vielle Cloture du cul de Sac Se releve pour Etre transporté au bout des autres.

La Cour a ordonné que chaque habitant qui ont pris des terres dans La prairie du pond y fasse Leur Cloture dicy a la fin d'avril, Et Quetant qu'au trensport des vielle Cloture il En cera decidé par la pluralité des voix des habitant qui ont des terres dans le cul de Sac pour Eviter toutte dificulté.

La Cour Est ajourné a Jeudy 5 de fevrier 1784.

a une Cour du 1 avril, 1784.

Pres[dt] J. B[te] Lacroix	Louis lebrun
fr. Courrié	J[h] Lapancé
ant Lamarche	J[h] Belfeuil
J. B[te] Dehay	Present

La Etant assemblé pour prendre le Serment de fidelité ainsi que celuy d'huissier de la Cour. de Gaspar Marchand.

Gaspar Marchand ayant paru a preté Serment de fidelté ainsi que Celuy Dhuissié de la Cour.

Demendeur B[te] DUMAY Deffendeur PIERRE MALET

Le demendeur fait Sa représentation a la cour Contre Le Deffendeur disant qu'en vertu d'une santance rendu le 5 de Juin Dernier Contre led[t] Deffendeur au Sujet d'un Cheval quil a Eté ConDanné par Laditte Sentance a Luy rendre Et quaprés il auroit Changé pour une vache, mais quil y a quelque Jour que led[t] Deffendeur Est venu ches Luy prendre Laditte vache malgré Luy Et la mené ches Thomas Brady.

La Cour a ordonné que la vache du demendeur Soyt par Le demendeur remené a l'endroit ou Elle a Eté prise, Sous vingt quatre heurs Et Condanné a payé tout fray Depend domage Et interet, Et En outre Laditte vache Sur Ses risques Jusqua ce quelle Soit remiser.

Demandeur J. B[te] GAFFÉ Deffendeur TH. BRADY

a une même Cour Le demendeur poursuit Le deffendeur disant, quil auroit a la demende dud[t] deffendeur Lessé son cheval

[1] See *supra* p. 152, note 1.

Court should fix for the said inhabitants a limit of time to make the said fence; and that the old fence of the *cul de sac* be taken up and moved to the end of the others.

The Court decreed that each inhabitant, who has taken up land in the Prairie du Pont, should build his fence there between now and the end of April; and, in order to avoid all difficulties, that it shall be decided by the plurality of the votes of the inhabitants, who have land in the *cul de sac*, in regard to removing the old fence.[1]

The Court adjourned to Thursday, February 5, 1784.

At a Court, April 1, 1784.

President, Jean Bte. LaCroix. Louis Lebrun.

Fr. Courier. Jos. Lapancé.

Ant. Lamarche. J. Bellefeuil.

Jean Bte. Deshayes. Present.

The Court assembled to receive the oath of fidelity and also that of *huissier* of the Court from Gaspard Marchand.

Gaspard Marchand appeared and took the oath of fidelity and also that of *huissier* of the Court.

Bte. Dumay, Plaintiff, *vs.* Pierre Mallet, Defendant.

The plaintiff makes his representation to the Court against the defendant, in which he says that, by virtue of a decree rendered the 5th of June last against the said defendant, he had been condemned to deliver to the plaintiff a horse, which afterwards the latter had exchanged for a cow; but that a few days ago the said defendant came to his house and took the said cow in spite of him and had led it to Thomas Brady's.

The Court decreed that the plaintiff's cow be brought back within twenty-four hours by the defendant to the place from which he had taken it; and condemned him to pay all costs, expenses, damages and interest; and furthermore that he should be responsible for the cow until it was returned.

J. Bte. Gaffé, Plaintiff, *vs.* Thomas Brady, Defendant.

At the same Court the plaintiff sues the defendant, saying that he had, at the request of the said defendant, left his horse in the latter's care at his house, on condition that he would take

pour en prendre soin ches Luy Sous Les Condition quil prendroit trois voyage de foin dans La Grange de B^te^ Saucier. Et quapres 40 ou 45 Jour il Luy auroit rendu son d^t^ Cheval disant quil n'avoit plus de foin. En Consequence Le demendeur représente quil nest pas possible quen ci peu de tems Son cheval aye pue menger tout Ce foin Et quen outre, il auroit Eté deja arbitrer pour Cette affaire par les Sieurs J. B^te^ Lacroix pascal Pillet Henry Biron Et Joseph Bissonette ou led^t^ deffendeur naurait pas voulu paroitre que Dans les deux voyage de foin que led^t^ deffendeur avoit Enlevé il En pouvoit avoir le moin trois Edemy [*sic*] par le tems quil a Eté Dans La grande Et vue La differance quil y a venant des champs.

Le deffendeur ne repond autre Chose Sinon quil Luy Soit permis de nomer Des arbitres ainsi que sa partie adverse pour decider Leur Differanc. La Cour a accordé a sa demende Et ardonné [*sic*] que Celuy qui perderoit par Larbitrage payeroit Les fraix de Justice.

La Cour Est ajourné au 6 de may prochain.

fr saucier Greffier J B H LaCroix

a une Cour du 13^ie^ avril 1784 Par Extraordinaire.

Président J B^te^ Lacroix Louis lebrun

ant Lamarche Jo^h^ Lapancé

J B^te^ Dehay J^h^ Belfeuil

Presente

une requette représenté par philipe Gervais disant qu'au nom Et Comme Subrogé tuteur de leon lepage il demende quil soit nomé une personne pour faire Le recouvrement de L'encan présentement Echu.

La Cour a ordonné quil soit fait une assemblé de parans Et damis pour le Contenue En La ditte requette.

[1] The method of arbitration for ending litigation was very common under French law, and frequent examples of the procedure occur in the *Record*. The great majority of civil suits might be arbitrated, exceptions being such as the spiritual rights of benefices, the status of persons, validity of marriages, etc. It was required that both parties agree to submit their dispute to arbitrators, who were obliged to render their decision within a determined time. One or more persons were chosen by the parties to act in this capacity. These were empowered, if the number of arbitrators was even, to choose another All free males of sound mind and of age might act, but judges in whose court the suit was pending were debarred. As far as the persons of the litigants and the question in dispute were concerned the arbitrators had the same powers as judges; but they could not constrain witnesses to appear before them. They might base their decision on other considerations than exact

three loads of hay in Bte. Saucier's barn; and that after 40 or 45 days he had brought the horse back to him, saying that he had no more hay. Accordingly the plaintiff shows that it is impossible that his horse could have eaten in so short a time all that hay; and furthermore that this cause would have been already arbitrated by MM. J. Bte. LaCroix, Pascal Pillet, Henry Biron and Joseph Bissonette, if the defendant had not been unwilling to appear. Furthermore he says that the defendant could have taken three and a half loads of hay in the two loadings, judging by the time it had been in the barn and considering the difference there is between such and that coming from the fields.

The defendant makes no other answer than to request that he be permitted to name arbitrators, as well as his opponent, to decide their difference. The Court granted his request and ordered that the one losing by arbitration should pay the costs of justice.[1]

The Court adjourned to the 6th of May next.

Fr. Saucier, Clerk. J. B. H. LaCroix.

At a special session of the Court, April 13, 1784.

President, J. Bte. LaCroix. Louis Lebrun.
Ant. Lamarche. Jos. Lapancé.
J. Bte. Deshayes. Jos. Bellefeuil.

Present.

A petition presented by Philippe Gervais, in which he says that in the name and as surrogate guardian of Leon Lepage he prays that there be named some one to make recovery of the notes given at the auction, now due.[2]

The Court ordered that there be held an assembly of relatives and friends to decide on what is contained in this petition.

justice. They might, also, make either of the litigants take oath and permit their decision to turn thereon, as did the judges. They had no power to put their verdict into execution. This was done by the judge who confirmed it. Appeal was permitted to either party, provided he had not signed the verdict. Jousse, *Traitte de l'administration de la justice*, II., 683 *et seq.*

This method of deciding suits, to which the French were accustomed, was adopted by the British commandants in the Northwest, who were empowered by their government to take charge of both the military and civil matters in their localities.—Howard, *Local Constitutional History of the United States*, i., 430.

[2] It appears to have been the common custom to give credit to the purchasers of goods at auctions.

a une même Cour une requette présenté par mad^e^ veuve Lepage demendant de ce decharge de la tutelle des mineurs Barsalous dont Son deffunt marie Etoit Chargé.

La Cour ayant Examiné que les dit mineurs Barsalou nont point de parans plus pres que le S^r^ ant Boyé Elle Conclu quil Soit Chargé de la ditte tutelle Et que m^de^ V^e^ Lepage En Soit Dechargé.

a une même Cour une requette présenté par mad^e^ G Blin demendant quil soit nomé une personne pour Lexecution testamentaire de Michel Gaudimcire Dont son deffunt marie Etoit Chargé.

La Cour ayant Examiné quil ny avoit personne plus Capable que M^r^ J B^te^ Lacroix pour substitué au Lieu et place du def. Sieur Blin, En Consequence Elle la nomé pour laditte Execution.

Demendeur PIERRE ROY Deffendeur Jo^h^ LEMBER

Le demendeur poursuit le deffendeur pour un Billet quil luy a Consenty, Sous sa marque fait En pelleterie, mais Comme Led^t^ deffendeur croyoit Le devoir en argent, il demende au deffendeur de faire Serment que les Effest quil luy a Vendu que Se soye En pelleterie quil Le Luy a vendu Le deffendeur ne voulant pas faire serment a Diminuer moitié Sur led^t^ Billet. Et Le deffendeur a payer Les fraix.

a une même Cour fr. Saucier porte plainte que Bien Des personne Se refuse a payer Les fraix de Justice, En Consequence il demende a la Cour quil Soit maitre de Ce faire payer par Celuy qui ataquera quelque procés Si il Est plus En Etat de payer ou maitre Dexiger un Cotion Des parties pour repondre Des fraix Et tous Les fraix payer En pelleterie suivant L'encien tarif.

fr. saucier J B H LaCroix.

[1] A note for peltries was worth half as much as one for a similar amount of money. The connection of the oath with the case is not clear, but no proof was needed, since the note was made out for peltries.

At the same Court a petition presented by Madame Lepage, widow, praying for her discharge from the guardianship of the minors Barsalous, with which her deceased husband had been intrusted.

The Court having inquired and learned that the said minors Barsalous have no relative closer than M. Ant. Boyer, decided that he be charged with the said guardianship, and that Madame Lepage be discharged.

At the same Court a petition presented by Madame G. Blin praying that there be named some one to put into execution the will of Michel Guadimcire, with which her deceased husband was intrusted.

The Court, after inquiry, decided that there was no person more fitted to be substituted for M. Blin than M. J. Bte. Lacroix, and therefore appointed him to put into execution the said will.

Pierre Roy, Plaintiff, *vs.* Jos. Lember, Defendant.

The plaintiff sues the defendant for a note to which he has consented over his mark, and which is made out for peltries; but as the defendant [plaintiff?] believes that the debt is in money, he demands that the defendant make oath that the goods which the plaintiff sold him were sold for peltries. The defendant not wishing to make oath has diminished his note by half.[1] The defendant was condemned to pay the costs.

At the same Court Fr. Saucier brings complaint that many persons refuse to pay the costs of justice, and he therefore prays the Court that he be empowered to make the party bringing any suit pay, if he is better able to pay, or be empowered to exact surety from the parties to answer for the costs and that all costs be paid in peltries according to the former rate.[2]

Fr. Saucier. J. B. H. LaCroix.

[2] The practice of making the most responsible party pay the cost of the suit caused great criticism at Vincennes, but in Cahokia the rule, which commonly prevailed from now on, that the successful litigant pay the costs and be reimbursed by the loser seems to have worked without friction, or, at least, did not hinder litigation.

a une Court du 6ie may 1784.

Président, J. Bte Lacroix	Louis lebrun
fr. Courrié	Josh Lapance
J Bte Dehay	ant. Lamarche
	Prest

Demendeur J Bte Lacroix Deffendeur fr. Gerome

Le demendeur poursuit Le deffendeur pour une somme de douze Livres quinze Sols pour sa part d'un tierçon de vin Dont plusieurs autres En ont payé Leur part Et Comme ledt deffendeur si Est trouvé Le demendeur Demende Egalement sa Code par.

Le deffendeur repond que Si paul poupar ne Lut inviter de Si trouver sans luy dire ce quil luy En couteroit ni même qui devoit Luy En Couter aucune chose. Cest La raison qui Luy fait dire qui ne veut rien payer.

La Court a ordonné que puisque paul poupar Lavoit invité a venir Souper ches mr Lacroix quil tiendray Compte Luy même de la Somme reclamé par Le demendeur, Et le deffendeur a payé Les fraix.

a une même Cour Joseph Billet dt Grolet Demendeur poursuit charle Lefevre deffendeur pour La Somme de Cinquante livres pour saler d'un fournau quil luy a fait.

Le deffendeur repond que le demendur na pas remplis Les Engagement quils avoit Ensemble Et Comme les preuve ne Sont pas présentes, ils demande que leur differends Soit decidé par Des arbitres. La Cour a accordé a leur Demende, Et au perdant a payer tous fraix.

a une même Cour Joseph Cecire poursuit pierre Granmon au Sujet dune petite fille orpheline que prenouvau Luy a Lesser ches luy, sous les Convention verbal de La Garder Jusqu'a ce quelle se produisse, Et que ledt Granmon a retirer de ches Luy.

pierre Granmond ayant Paru a dit que ledt prenouvau luy a lesser un pouvoir de retirer Laditte pettitte fille Si elle netoit pas Bien ches ledt Cecire, Et Soffre a produire Ledt pouvoir Et Les preuve du manuvais traittement quil fesoit a Laditte pettitte fille.

At a Court, May 6, 1784.

President, J. Bte. LaCroix.	Louis Lebrun.
Ant. Lamarche.	Jos. Lapancé.
J. Bte. Deshayes.	Fr. Courier.

Present.

J. Bte. LaCroix, Plaintiff, *vs.* Fr. Gersome, Defendant.

The plaintiff sues the defendant for the sum of twelve *livres* fifteen *sols* for his share of a cask of wine, for which several others have paid their shares; and, as the said defendant was present, the plaintiff demands an equal share from him.

The defendant answers that if Paul Poupar had not invited him to be present without telling him what it would cost him or even saying that it was going to cost him anything; and that is the reason that he said he would pay nothing.

The Court decreed that, since Paul Poupar had invited the defendant to supper at M. LaCroix's, he shall be held accountable for the sum claimed by the plaintiff. The defendant was condemned to pay the costs.

At the same Court Joseph Billet called Grolet, plaintiff, sues Charles Lefevre, defendant, for the sum of fifty *livres* for wages for work on a kiln, which the defendant made for him.

The defendant answers that the plaintiff did not fulfill the agreement, which they had made; and since there are no proofs to present, they pray that their difference be decided by arbitrators. The Court granted their prayer and ordered the loser to pay all costs.

At the same Court Joseph Cesirre sues Pierre Grandmont in regard to a little orphan girl whom Prenouvau left at his house, with the verbal agreement that he was to keep her until she could support herself, and whom the said Grandmont has withdrawn from his house.

Pierre Grandmont appeared and said that the said Prenouvau left him the authority to withdraw the said little girl, if she was not well treated at the said Cesirre's, and offers to produce the said authority and the proofs of bad treatment, which the plaintiff gave the little girl.

La Cour a ordonné qu'a La Cour prochaine Led^{t} Granmon produisent ses preuvent [*sic*] Et aux perdans a payé Les fraix.

La Cour Et ajourné a Jeudy 13^{ie} du Cour^{t}.

f. saucier Greffier J B H LaCroix

a une Cour du 20^{ie} may 1784.

Président J. B^{te} Lacroix. Louis lebrun.
fr. Courié. Jos^{h} Lapancé
J. B^{te} Dehay. ant Lamarche.
Prés^{t}

par une Nouvelle Ellection pour remplacer Les majistrat cy dessus Nommé a Etté, nommée Les Sieurs J. B^{te} Lacroix J B^{te}. Saucier, J B^{te} Dumay, Joseph Bissonnette Louis Chatel pierre roy, Et Louis pillet.

J B^{te} Lacroix B^{te} Saucier B^{te} Dumay Jos^{h} Bissonnette Louis Chatel pierre roy Et Louis pillet ayant parus ont preté Serment de fidelité ainsi que celuy d'office, Et ont pris Leurs place En leurs Qualité de majistrats.

fr. Saucier demende Qu'en vertu de la Saisie quil a optenu Sur Cent vingt Et une livres De Suif Et neuf pot Et painte d'huille, appartenant a B^{te} Lamarche D'Etre hotorizé a faire vendre lesd^{ts} articles pour Etre La Somme Endocé sur son Billet.

La Cour a acordé aud^{t} fr. Saucier sa Demande.

La Cour Est ajourné a Jeudy 3^{ie} Juin.

J B H LaCroix.

a une Cour du 3^{ie} Juin 1784.

Président J B^{te} Lacroix Jos^{h} Bissonette
Pierre Roy B^{te} Saucier
J B^{te} Dumay Louis chatel
Présent.

Le S^{r} John Reeve produit une Sentance arbitrale Entre Luy Et Le S^{r} pierre Lagauterie demandant Quelle Soit approuvé par La Cour Et mis en Execution.

a une même Court Pierre Prevost au nom Et Comme fesant pour Gabriel Cerré poursuit pierre Lafleur dans Sa requette disant Quetant Condanné par M^{r} Le comd^{t} de St Louis de faire

The Court decreed that at the next Court the said Grandmont should produce his proofs, and the loser was to pay the costs.

The Court adjourned to Thursday, the 13d of the current month.

F. Saucier. J. B. H. LaCroix.

At a Court, May 20, 1784.

President, J. Bte. LaCroix.	Louis Lebrun.
Fr. Courier.	Jos. Lapancé.
J. Bte. Deshayes.	Ant. Lamarche.

Present.

To replace the magistrates above named there have been elected by a new election MM. J. Bte. LaCroix, J. Bte. Saucier, J. Bte. Dumay, Joseph Bissonnette, Louis Chatel, Pierre Roy and Louis Pillet.

J. B. LaCroix, Bte. Saucier, Bte. Dumay, Jos. Bissonnette, Louis Chatel, Pierre Roy and Louis Pillet appeared and took oath of fidelity and also that of office and have taken their place as magistrates.

Fr. Saucier prays that, in virtue of the seizure, which he has obtained, of one hundred and twenty-one pounds of tallow and nine pots and a pint of oil, belonging to Bte. Lamarche, he be authorized to have the said articles sold to obtain the sum endorsed on his bill.

The Court granted Fr. Saucier his prayer.

The Court adjourned to Thursday, June 3.

J. B. H. LaCroix.

At a Court, June 3, 1784.

President J. Bte. LaCroix.	Jos. Bissonnette.
Pierre Roy.	Bte. Saucier.
J. Bte. Dumay.	Louis Chatel.

Present.

M. John Reeve produces a decree by arbitration between himself and M. Pierre Lagauterie and prays that it be approved by the Court and put into execution.

At the same Court Pierre Prevost, in the name of and as acting for Gabriel Cerré, sues Pierre Lafleur in his petition, in which he says that he [the plaintiff] had been condemned by the comman-

racomoder une voiture appartenant au S^r^ Ducharme Quil avoit pris dans La rivierre des Illinois Et Sans ordre, ou La payé, Si elle Etoit or d Etat de l'Etre mais Quetant venu pour le faire Et nayant pas trouvé Laditte voiture, et ayant Sur que Cetoit led^t^ Lafleur qui Lavoit prise pour charoyé de la pierre pareillement Sans ordre de personne demande led^t^ Prevost que led^t^ Lafleur soit Condanner a racommoder lad^te^ voiture ou La payé Si elle Est or d Etat de l'etre, Et a tous depens.

pierre Lafleur repond quil Est vray quil a pris la voiture, mais que Setoit par La permission de B^te^ Baron Comme Croyant Lad^te^ voiture au S^r^ L. DuCharme.

B^te^ Baron ayant paru a dit quil n'avoit point permis aud^t^ Lafleur de la prendre Quil Luy avoit Seulement dit aud^t^ Lafleur de la demender a Charle Lefevre Comme Luy ayant Eté adressé icy, mais disant toujour que led^t^ Baron luy En avoit donné La permission Et led^t^ Baron disant toujour que non, led^t^ Lafleur demande aud^t^ Baron son Serment Et qualors il Si Conformera.

B^te^ Baron ayant paru a fait Serment quil n'avoit Pas d^t^ aud^t^ Lafleur de prendre Laditte voiture Comme appartenant a M^r^ Ducharme mais Quil luy Seulement dit de la demender a Ch^le^ Lefevre Comme L'ayant Sous Sa garde.

La Cour a Condanné led^t^ Lafleur a mettre La Ditte voiture En Etat de faire routte ou a La payer, Conformenent a la requette dud^t^ Prevost. Et led^t^ prevost payera les fraix de Justice pour Sen Etre Servis Sen ordre.

a une Cour du 6^ie^ de may dernier il a Eté ordonné que pierre Granmon produiroit ses preuve pour avoir retirer La petitte fille de prenouvau de ches Jos^h^ Cecire.

Pierre Granmon ayant paru a produit un pouvoir dud^t^ prenouvau de retirer sa fille de ches Jos^h^ Cecire Si elle Etoit maltreté male a propos. Et a produit pierre Charpantier pour temoigner Les mauvais traitement faitte a la d^te^ petitte fille par Jos^h^ Cecire et Sa femme.

Pierre Charpantier ayant paru a prété Serment de dire La

[1] *Voiture* had generally in the Mississippi valley the meaning of a large flatboat; but, since it is also the common word for boat, I have not translated it as a particular kind. On page 182 it is used as synonymous with *pirogue*, which is a large dugout.

dant of St. Louis to have repaired a boat[1] belonging to M. DuCharme, which he had taken without permission into the Illinois River, or to pay for it, if it was beyond repair; but that when he came to do it, he had not found the said boat; and, since he has learned that the said Lafleur had taken it to carry stone, likewise without permission of anyone, the said Prevost prays that the said Lafleur be condemned to repair the said boat or pay for it, if it is beyond repair, and to pay all expenses.

Pierre Lafleur answers that it is true that he took the boat; but that it was with the permission of Bte. Baron and because he believed that the boat was M. L. DuCharme's.

Bte. Baron appeared and said that he had not permitted the said Lafleur to take it; that he had only told the said Lafleur to ask permission from Charles Lefevre, who had been sent to him here. But since Lafleur persisted in saying that the said Baron had given him permission, and the said Baron persisted in saying, "No", the said Lafleur demands of the said Baron his oath, and says that then he will agree.

Bte. Baron appeared and made oath that he had not told the said Lafleur to take the said boat, since it belonged to M. DuCharme; but that he had only told him to ask permission of Charles Lefevre, who had charge of it.

The Court condemned the said Lafleur to put the said boat in condition for use, or to pay for it, according to the petition of the said Prevost. And the said Prevost shall pay the costs of justice for having made use of the boat without permission.

At a Court of the 6th of May last, it was decreed that Pierre Grandmont should produce his proofs to justify his withdrawal of Prenouvau's little daughter from the house of Jos. Cesirre.

Pierre Grandmont appeared and produced an authority from the said Prenouvau to withdraw his daughter from Jos. Cecirre's, if she was undeservedly badly treated, and brought forward Pierre Charpentier as witness of the bad treatment given the said little girl by Jos. Cesirre and his wife.

Pierre Charpentier appeared and made oath to tell the truth in answer to the questions put to him, and said that he was present

verité Sur Les question qu'on luy feroit, Et a dit, quil s'est trouvé présent plusieurs fois aux movais traitement que recevoit la ditte petitte fille ches Cecire, même Dans La rigeur du frois mal vetu Et Etre obligé de Soufrir des cruauté Et sans humanité de la part de Cecire Et Sa femme. Suivant le pouvoir donné aud^{t} Granmon par prenouvau La deClaration de pierre charpantier La Cour Est Dopignon que led^{t} Granmon gardera La petitte fille Et condane led^{t} Cecire a payer tous fraix de Justice. Le deboutant de touttes ses demandes a ce sujet.

Joseph L'ember poursuit Joseph Pelletié pour une terre Dans La prairie du pond Suivant Laccord Entre Les habitant, mais Comme il S'est trouvé une Grande difficulté pour la Clauture de cett ditte terre même dans le tems le plus priére, il a Eté Convenu par une assemblé pour la Sureté des dittes Clauture que Celuy qui n'assureroit pas de faire Sa Clauture Seroit donné a une autre, En Consequence m^{r} Girardin accompagné d'un témoin demandé a tous Ceux qui avoit des terres Si il vouloit Claure ou abandonner leur terre. led^{t} Lember ne luy ayant Donné aucune reponce assuré, Suivant sa declaration la fait faire par un autre Et qui Jouit de la terre.

La Cour Est Dopignon que Les parties prendrons des arbitres pour terminer Leurs differants Et aux perdant a payer Les fraix de Justice.

La Cour Est ajourné a Jeudy 1^{ie} Juillet.

J B H LaCroix

a une Cour Extraordinaire du 9^{ie} Juin

Pres^{dt} J. B^{te} Lacroix.	Jos^{h} Bissonnette
Louis Chatel.	B^{te} Saucier
pierre roy	Louis Pillet
B^{te} Dumay	Pres^{t}

Demendeur M^{de} BEAUSOLIEIL Deffendeur ANT ARMANT

une requette présenté par M^{r} Labuxiere au nom Et Comme Chargé du pouvoir de M^{de} pourré Beausoleil de poursuivre le S^{r} ant armant pour Somme de deux Mil Cinq Cent quarante livres tant En argent q'en Pelleterie Et Neuf Cent quatre Livres de farine le tout par Ses Billet.

several times, when the little girl was badly treated at Cesirre's, that he had seen her in the rigour of cold badly clothed, and that she was obliged to suffer cruelties and without pity from Cesirre and his wife. In consideration of the authority given the said Grandmont by Prenouvau and of the declaration of Pierre Charpantier, the Court is of the opinion that the said Grandmont shall keep the little girl, and condemns the said Cesirre to pay all the costs of justice and denies all his prayers on the subject.

Joseph Lember sues Joseph Pelletier for a piece of land in the Prairie du Pont, which was taken up in accordance with the agreement among the inhabitants; but as there was found to be great difficulty about the fence of this said land even in the longest time requested, it was decided by an assembly that for the surety of the said fences, if anyone should not secure his land by building his fence, it would be given to another. Consequently M. Girardin, accompanied by a witness, demanded of all those, who had lands, if they wished to build the fences or abandon their land. Since the said Lember gave no definite answer, according to M. Girardin's affidavit he had had it built by another, who is enjoying the land.

The Court is of the opinion that the parties should take arbitrators to settle their difference, and condemns the loser to pay the costs of justice.

The Court adjourned to Thursday, July 1.

J. B. H. LaCroix.

At special session of the Court, June 9.

President, J. Bte. LaCroix.	Jos. Bissonnette.
Louis Chatel.	Bte. Saucier.
Pierre Roy.	Louis Pillet.
Bte. Dumay.	Present.

Madame Beausoleil, Plaintiff, *vs.* Ant. Harmand, Defendant.

A petition presented by M. Labuxiere in the name of, and as commissioned with power from, Madame Pourré Beausoleil to sue M. Ant. Harmond for the sum of two thousand five hundred and forty *livres* both in money and peltries and nine hundred and four pounds of flour, the whole amount as shown by his notes.

Led^{t} ant. armant ayant paru a produit un Compte Contre La ditte dame Bausoleil de la somme de six Cent Soixante Et neuf livres douze sols En arg^{t} Et quatre vingt huit livres En pelleterie, Lesquels Comptes ont Eté affirmé sous serment par led^{t} ant armant.

La Cour Est Dopignon que led^{t} antoine armant soit Condanner a payer ses Billet tant en arg^{t} qu'en pelleterie tel quil Sont Expliqué dans le Cour du présent moy pour tous Delay ainsi que La farine moyenant quil luy Soit deduit six Cent Soixante Et neuf livres douze sols En arg^{t} Et quatrevingt huit Livre en Pelleterie Suivant Ses Comptes, ordonnons quil luy Soit Sinifié de prendre Des arangement avec Lad^{tte} Dame Beaussoleil ou Son fondé de pouvoir, Soit par un Bon Cotion ou autres assurances quil demenderons, Et Condannons Led^{t} armant a tous fraix Et interest Et faute par luy de Se faire Sous vingt quatre heure nous accordons a laditte Dame Beausoleil une Execution Contre Led^{t} ant armant.

La Cour est ajourné a Jeudy l^{ie} Juillet.

fr saucier Greffier J B H LaCroix.

a une Cour du 16^{ie} Juin 1784 Extraordinaire.

Présid^{t} J B^{te} Lacroix B^{te} Dumay

B^{te} Saucier pierre roy

Prés^{t}

Demendeur ANT. ARMANT Deffendeur JOSEPH BILLET

Le Demendeur poursuit Le Deffendeur pour une somme de Cent Cinquante Six livre En argt quil Luy doit.

Le deffendeur ayant Paru a déclaré devoir La ditte somme aud^{t} Demendeur, mais quil se voit haur d'Etat de le Satisfaire attendu quil Luy Est du aussi Et dont il ne peut rein retirer, Et demande pareillement a la Cour que les Personne quil luy Doivent soient Pareillement Condanné a Le payer.

La Cour a ordonné au deffendeur a payer Les Cent Cinquante six livres quil Doit and^{t} demendeur sauf a luy a poursuivre Les personne quil Luy Doivent.

a une même Cour ant. armant poursuit Les Nommé Bequet Et Durant, pour un marché passé Entre Eux le 30^{ie} aoust dernier,

The said Ant. Harmand appeared and produced an account against the said Madame Beausoleil for the sum of six hundred and sixty-nine *livres* twelve *sols* in money and eighty-eight *livres* in peltries, which accounts were affirmed under oath by the said Ant. Harmand.

The Court is of the opinion that the said Antoine Harmand should be condemned to pay his bills in money and peltries, as they are shown, in the course of the present month at the longest and also the one for flour, on condition that there be deducted six hundred and sixty-nine *livres* and twelve *sols* in money and eighty-eight *livres* in peltries according to his accounts. We order that he be notified to make arrangements with the said Madame Beausoleil or her representative either by giving surety or other assurances, which they shall demand; and we condemn the said Harmand to pay all costs and interests; and in case he does not do this within twenty-four hours, we grant to the said Madame Beausoleil a writ of execution against the said Ant.Harmand.

The Court adjourned to Thursday, July 1.

Fr. Saucier, Clerk. J. B. H. LaCroix.

At a Court, June 16, 1784, special session.

President, J. Bte. LaCroix. Bte. Dumay.

Bte. Saucier. Pierre Roy.

Present.

ANT. HARMAND, Plaintiff, *vs.* JOSEPH BILLET, Defendant.

The plaintiff sues the defendant for the sum of one hundred and fifty-six *livres* in money, which he owes him.

The defendant appeared and declared that he owed the said sum to the said plaintiff; but that he was not in a position to satisfy it, because there is due to him money also, which he cannot collect; and he prays likewise of the Court that the persons owing him be likewise condemned to pay.

The Court ordered the defendant to pay these one hundred and fifty-six *livres*, which he owes the said plaintiff, reserving to him the right to sue the persons, who owe him.

At the same Court Ant. Harmand sues the named Becquet and Durand on account of an agreement passed between them the

Et Comme il paroit quil y a autant de tor de part Et D'autre aprés avoir murement Examiné Leurs dire La Cour Est Dopignon que led^{t} armant prendra tout le Bois quil y a d'Ecaris Suivant Lestimation qui En Sera fait par Des ouvrié qui Seulement observeront qu led^{t} armant a Nouri Les d^{t} Bequet Et Durant Le tems quils ont mis a faire Le Bois, Et a payer entre Eux les fraix.

La Cour Est ajourné au 1 Juillet 1784.

fr saucier. J B H LaCroix.

a une Cour du 24 aoust 1784.

Président J B^{te} Lacroix	Louis Chatel
pierre roy	Louis Pillet
J B^{te} Dumay	Joseph Bissonette

Pres^{t}

Demendeur ANT. LAMARCHE Deffendeur JOSEPH CECIRE

Le demendeur poursuit Le deffendeur Disant quayant Cotioné pour ant. armant de la Somme de deux mil Et quelque Cent Livres quil redevoit a M^{de} Beausoleille. Mais quil ne Lavoit fait que Sur La promesse que Joseph Cecire avoit fait de luy payer une Somme de Sept Cent Et quelque Livres quil Doit aud^{t} ant armant En Consequence il prie La Cour dobliger led^{t} Cecire a payer Laditte Somme afin de pouvoir Satisfaire a Celle dud^{t} ant armant.

Le demendeur [*sic*] repond quil Est vray quil doit cette Somme a ant. armant Mais quil Etoit Convenue avec luy de le payer En ouvrage, Et que Si y nut Consenti a cela quil ne Ce Seroit pas is fort En Detté.

vue Les deffence du deffendeur Envers le dit ant armant, absens, La Cour a ordonné aud^{t} Jos^{h} Cecire de payer au demendeur trois Cent Livres En argent, pour Le présent En attandant le retour dant. armant pour terminer Les Convention quils ont fait Ensemble.

La Cour Est ajourné au 2^{ie} de 7^{bre}.

fr. saucier Greffier J B H LaCroix.

Ecarir, French-Canadian word, meaning to cut posts square.

30th of August last; and since, after carefully examining their testimony, it appears that there was as much wrong on one side as the other, the Court is of the opinion that the said Harmand shall take all the wood which has been cut square [1] at the price of the appraisment, which shall be made by workmen, who are to notice only that the said Harmand boarded the said Becquet and Durand during the time they have taken in cutting the wood, and that the parties shall pay the costs between them.

The Court adjourned to July 1, 1784.

Fr. Saucier. J. B. H. LaCroix.

At a Court, August 24, 1784.

President, J. Bte. LaCroix. Louis Chatel.
Pierre Roy. Louis Pillet.
J. Bte. Dumay. Joseph Bissonnette.

Present.

Ant. Lamarche, Plaintiff, *vs* Joseph Cesirre, Defendant.

The plaintiff sues the defendant saying that the former acted as bondsman for Ant. Harmand for the sum of two thousand and some hundred *livres*, which he owed Madame Beausoleil; but that he had done it only on the promise, which Joseph Cesirre had made to pay him a sum of seven hundred and some *livres*, which Cesirre owes to the said Ant. Harmand. Therefore he begs the Court to compel the said Cesirre to pay the said sum, so that he can satisfy the debt of the said Ant. Harmond

The plaintiff [defendant?] answers that it is true that he owes that sum to Ant. Harmand; but that he had agreed with the latter to pay him in work, and that if he had not agreed to that, the defendant would not be so greatly in his debt.

Considering the defence of the defendant against the said Ant. Harmand, who is absent, the Court ordered Jos. Cesirre to pay the plaintiff three hundred *livres* in money for the present, while waiting for the return of Ant. Harmand to terminate the agreement, which they have made together.

The Court adjourned to September 2.

Fr. Saucier, Clerk. J. B. H. LaCroix.

a une Cour du 2ie 7bre 1784.

Présidt J Bte Lacroix — Louis Pillet
J Bte Dumay — Pierre roy

Present

Demendeur Mr MOTARD Deffendeur Josh VAUDRY

Le demendeur poursuit le deffendeur pour une Somme de Cent quatrevingt huit Piastre Gourdes Et quatre Escalin[1] suivant Son Billet Echu du mois de xbre passé, Et demende un hypoteque sur ses Biens En donnant deux mois pour Le payment, au deffaut de quoy quil luy Soit accorde de faire vendre Lesdt Biens hypotequé.

Le deffendeur repond que nayant pas pu decendre En ville il na pas pu payer Son Billet, Mais quil offre a Mr motar l'hypoteque sur sa maison deux arpent de terre a la prairie du pond Et une Grange avec Son terrin sur le Cotau des renards, Et que mr motar pour faire vendre si il ne le paye pas dicy au terme quil luy Donne.

La Cour Est Dopignon que Mr motar accepte L'offre que luy fait vaudry Et quil Luy fasse vendre les dt Effest quil offre Luy même En hypoteque faute de payement.

La Cour Est ajourné au 7ie 8bre.

fr. saucier G — J B H LaCroix.

a une Cour du 25 8bre

Président, J Bte Lacroix — Louis pillet
Pierre roy — Josh Bissonette
Louis chatel — J. Bte Saucier

Prt

a une même Cour Pierre troge a preté le Serment de fidelité ainsi de Celuy doffice dhuissié de La Cour.

MONSr LEVY Demendeur JOSEPH BELCOUR Deffendeur

Le demendeur Poursuit le deffendeur pour une Somme de deux Mille deux Cent livres En argent quil Luy doit par son Billet.

Le deffendeur repond que depuis quelque Jour il avoit tué

[1] *Escalin*, Netherland coin, equivalent to the English shilling.

[2] *Arpent*. about equal to an acre.

At a Court, September 2, 1784.

President, J. Bte. LaCroix. Louis Pillet.
J. Bte. Dumay. Pierre Roy.
Present.

M. MOTARD, Plaintiff, *vs.* JOS. VAUDRY, Defendant.

The plaintiff sues the defendant for the sum one hundred and eighty-eight *piastres gourdes* and four *escalin*[1] according to his note of the month of December last, which has fallen due, and demands a mortgage on the defendant's goods, if he gives him two months for the payment; in default of which payment he prays that there be granted him permission to have the said mortgaged goods sold.

The defendant answers that because he could not come down into the village, he has been unable to pay his bill; but he offers M. Motard the mortgage on his house, two *arpents*[2] of land in the Prairie du Pont and a barn with its yard on Fox Hill; and that M. Motard may have them sold, if he does not pay within the time he gives him.

The Court is of the opinion that M. Motard should accept the offer which Vaudry makes him and that he may make the latter sell the said property, which he offers him in mortgage, in default of payment.

The Court adjourned to October 7.

Fr. Saucier, C. J. B. H. LaCroix.

At a Court, October 25.

President J. Bte. LaCroix. Louis Pillet.
Pierre Roy. Jos. Bissonnette.
Louis Chatel. J. Bte. Saucier.
Present.

M. LEVY, Plaintiff, *vs.* JOSEPH BELCOUR, Defendant.

At the same Court Pierre Troge took the oath of fidelity and also that of office of *huissier*[3] of the Court.

The Plaintiff sues the defendant for the sum of two thousand two hundred *livres* in money which he owes him on his note.

[3] Since the *Record* uses different words for the name of the officer who executes the decrees and serves the writs of the court, etc., it has seemed best to retain the French name, *huissier*, when it occurs. There are times in the history of Illinois when the opposition to the Americans expresses itself in an emphasis on French law and institutions. *Kas. Rec., Letters.* The duties of the *huissier* were not different from those of the sheriff.

quelque animaux desquel il na Encore pas Eté payé Se qui La mis Jusqua présent or d'etat de satisfaire a Son Billet. Et demande un delay de quinze Jour pour donner un accompte de Mil Livres.

La Cour a acordé au deffendeur quinze Jour pour remettre au demendeur Mil Livres En argent, tel quil le demende se qui a Eté accepté par led^t^ demendeur, promettant donner Credit pour le reste, Mais au deffaut de payement, Sous Ls dits quinze Jours, le Demendeur Est autorizé a faire vendre des Biens dud^t^ deffendeur Jusqua Sa Somme.

M^r^ Sarpy Contre Ch^le^ Lacroix

a une même Cour Monsieur Sarpy produit un Compte a Luy transporté par M^de^ veuve Lepage Contre Charle Lacroix de la Somme de dix neuf Cent quartoze livre Sept Sols, Sauf a deduire Les accompte quil pouroit avoir Donné depuis le 22 de Ce mois datte dud^t^ Compte Et demande que Led^t^ Lacroix Soit Condanné Sans delay a Luy remettre La Ballance dud^t^ Compte.

Led^t^ Lacroix ayant Eté assigné de paroitre Cejourd'huy Ce a quoy il a manqué. Et aprés trois apel par Lussier. Ne Setant trouvé ny Sa Personne ny auqu'un represantant pour Luy La Cour La Condanner a payer son Compte sans delay Et a Payé tous fraix de Justice.

a une même Cour Mons^r^ Charle Sanguinette présente deux Billet fesant La Somme de quatre Cent quarante Sept Livre et demy de Paux de Chevreuil que le nomé Joseph langlois Luy doit En Consequence il Demende a la Cour de Luy accordér une Saisy Sur Les Biens dud^t^ Langlois, Jusqua Ce quil aye Prix des arangem^t^ avec luy pour Lassurance de Ce quil luy doit.

La Cour a accordé a M^r^ Ch^le^ Sanguinette La Saisy quil demende Contre led^t^ Langlois Et ordonne aud^t^ Langlois de prendre tel arrangement que led^t^ Sieur Sanguinette Luy demandera pour assurer se quil Luy doit Et par fautte de ce faire quil soit Condanner a payer sans delay.

a une même Cour m^r^ fr trottier a produit les Compte de Balance

The defendant answers that a few days ago he had killed some animals for which he had not yet been paid, which put him till now out of position to satisfy his note; and he prays for a delay of of fortnight to make an instalment of a thousand *livres*.

The Court granted the defendant a fortnight to pay the plaintiff one thousand *livres* in money, as he prays, and these terms were accepted by the plaintiff, who promises to give credit for the balance. But in default of payment within the said fortnight, the plaintiff is authorized to have goods of the defendant's sold up to that sum.

M. Sarpy *vs.* Charles LaCroix.

At the same Court M. Sarpy produces an account assigned to him by Madame Lepage, widow, against Charles LaCroix for the sum of nineteen hundred and forty *livres* seven *sols*, saving the deduction of the instalments, which he may have paid since the 22nd of this month, the date of this account; and prays that the said LaCroix be condemned to pay him the balance of the said account without delay.

The said LaCroix was summoned to appear to-day, which he failed to do. And after three summonses by the *huissier* and when neither his person nor anyone representing him was found, the Court condemned him to pay his account without delay and to pay all the costs of justice.

At the same Court M. Charles Sanguinette presents two notes amounting to the sum of four hundred and forty-seven and a half pounds of deer-skins, which the named Joseph Langlois owes him; and consequently he prays that the Court grant him a writ of seizure on the goods of the said Langlois until he should have made arrangements with him for the security of what he owes him.

The Court granted to M. Ch. Sanguinette the writ of seizure which he prays for against the said Langlois and orders the said Langlois to make such arrangements as the said M. Sanguinette shall demand to secure what he owes him; and in default of doing so condemns him to pay without delay.

At the same Court M. Fr. Trottier produced the accounts of

de la tutelle des mineurs Lapierre, Suivant La premiere vente Et qui a Eté approuvé.

La Cour Est ajourné au 4ie de 9bre Jeudy.

fr. saucier J B H LaCroix.

a une Cour du 4ie 9bre 1784.

Président J Bte Lacroix Louis pillet

Pierre roy Joseph Bissonette

J Bte Dumay Prest

Demendeur J Bte. GAFFÉ Deffendeur ANT ARMANT

Le demendeur poursuit le deffendeur pour une voiture quil Luy avoit preté pour pour [*sic*] aller dans La Belle riviere, Et quil soit obligé de la luy remettre En Letat quelle Etoit avec Les agrés Et Sujet a visite pour constater Les reparation de laditte voiture pour mettre En même Etat ou Elle Etoit Lorsquil La Luy a preté.

Le deffendeur repond que le demendeur Etoit Convenu avec la luy de prendre un Canot d'ecorce pour La ditte voiture.

Le demendeur repond quil Est vray quil a Dit a deffendeur quil prendroit un Canot si il Se trouvoit En avoir Besoin avant le retour de Sa ditte voiture Et a produit Mr Girardin pour témoins.

Mr Girardin ayant Paru a preté Serment de dire La verité Et a dit quil Etoit témoins Lors de Larengement de Mrs Gaffé Et ant armant, Et quil a Entue [*sic*] que mr Gaffé preté Sa voiture audt armant, sous Les Conditions quil Prenderé un Canot Si il se trouvoit En avoir Besoin avant son arrivé pour aller a Michilimaquina Et quensuitte si Le Canot Luy Convenoit il le Garderoit.

fr Saucier ayant fait Serment de dire la verité au quesiton quon luy feray a fait Exactement La même Declaration que Mr ant Girardin.

J Bte Bequet ayant aussi Paru a preté Serment de dire La verité a dit quayant Eté un Jour ches Le Sr ant armant Et quayant vu Les Canot dudt armant En Perditions quil demenda au Nomé Gassien pourquoy il ne Les metoit pas En Lieu de Sureté,

the balance of the guardianship of the minors Lapierre after the first sale, and they were approved.

The Court adjourned to Thursday, November 4.

Fr. Saucier. J. B. H. LaCroix.

At a Court, November 4, 1784.

President J. Bte. LaCroix. Louis Pillet.

Pierre Roy. Joseph Bissonnette.

J. Bte. Dumay. Present.

J. Bte. Gaffé, Plaintiff, *vs.* Ant. Harmand, Defendant.

The plaintiff sues the defendant for a boat, which the former had loaned him to go to the Ohio and which he was bound to return to the plaintiff with its equipments in the condition that it was, and subject to inspection to determine the repairs necessary to put the said boat in the same condition that it was, when the plaintiff loaned it to him.

The defendant answers that the plaintiff had agreed with him to take a bark canoe for the said boat.

The plaintiff answers that it is true that he said to the defendant that he would take a canoe, if he was in need of it before the return of the said boat, and brought forward M. Girardin as witness.

M. Girardin appeared and made oath to tell the truth and said that he was a witness at the time of the arrangement between MM. Gaffé and Harmand, and that he understood that M. Gaffé loaned his boat to the said Harmand on the condition that he would take a canoe, if he found himself in need of going to Michillimackinac, before the latter's return, and that afterwards, if the canoe suited him, he would keep it.

Fr. Saucier made oath to tell the truth in answer to the question put to him, and made exactly the same declaration as M. Ant. Girardin.

J. Bte. Becquet also appeared and made oath to tell the truth and said that he was one day at the house of M. Ant. Harmand, and, having noticed that the canoes were in ruins, asked the named Gassien why he did not put them in a place of safety, to which the latter replied that he was expecting M. Gaffé to choose one in order to safe-guard the other.

a quoy se dernier luy repondit quil attandoit que led^t^ Sieur Gaffé En aye Choisi un pour Garantir Lautre.

Led^t^ armant produit Pierre Gassien Et aprés avoir preté Serment de dire La verite a dit qayant Envoyé Cherché M^r^ Gaffé, quil luy auroit dit de Choissir un canot sur Les deux appartenant a M^r^ ant. armant sur quoy Led^t^ Sieur Gaffé Luy ayant dit Et fait voir Celuy quil prenderoit, quil Luy auroit Dit quil Etoit Sur Ces risque a quoy Led^t^ Sieur Gaffé na rien repondu.

M^r^ ant armant produit un Sertificat de fr. duchenau qui declare quil a Connoissance que M^r^ Gaffé a Eté ches led^t^ armant avec Dubois un de Ses homme Et quils avoit Choisi un Canot pour la pirogue sans neanmoins L'avoir Deplacé.

Led^t^ armant Produit Le Nomé Dubois pour témoins Et apres avoir preté Serment de dire La verité a dit. quil Est vray que monsieur Gaffé La mené Ches M^r^ Sanfaçon pour choisir un Canot Et quil Etoit quil avoit choisi celuy qui Croyoit le meilleur Mais que m^r^ Gaffé avoit dit quil le prendroit si il En avoit Besoin, mais quil ne sen Est Point Servi.

La Cour a ordonné que Suivant les accorde de m^rs^ Gaffé Et armant Et que led^t^ S^r^ Gaffé ne Setant point Servy du Canot, tel quil Ce paroit que sa voiture luy Soit rendu, En même nature, et led^t^ harmant a payer Les fraix.

M^r^ Levy Et chartié

a une même Cour M^r^ Levy poursuit Michel Chartié, pour avoir dix Sept planche que Le nomé Charpantier avoit vendu a M^r^ Marchessaux, Et que Ce dernier avoit transporter aud^t^ Levy, Led^t^ Chartié ayant revandu ces même planche, sous le pretexe que led^t^ Charpantier Etoit de Societé Et quil luy devoit. La Cour a ordonné que led^t^ Chartié soit condanné, Comme Elle le condanne a rendre Les Susditte Planche aud^t^ sieur Levy Et a payer tous Les fraix de Justice.

Bissonette Et quenel

a une même Cour Jos^h^ Bissonette poursuit Pierre quenel pour un Cochon quil luy a Eté tué dans Les Grains Et qui avoit passé par La Cloture dud^t^ quenel. Led^t^ Cochon ayant Eté Estimé par Pierre roy Et fr Courrié a la Somme de Cent Livres, Et led^t^ Bis-

The said Harmand brings forward Pierre Gassien, who, after having made oath to tell the truth, said that he had summoned M. Gaffé and told him to choose one of the two canoes belonging to M. Ant. Harmand, upon which M. Gaffé had pointed out the one, which he would take; and that he, the witness, had said to M. Gaffé that it was at his risk, to which M. Gaffé made no answer.

M. Ant. Harmand brings forward a certificate of Fr. Duchenau, in which he declares that he knew that M. Gaffé was at the said Harmand's with Dubois, one of his men, and that they had chosen a canoe for the pirogue without, however, taking it away.

The said Harmand brings forward the named Dubois as a witness; and after having made oath to tell the truth, the latter said that it is true that M. Gaffé took him to M. Sansfaçon's to choose a canoe and that he had chosen the one which he believed the better; but that M. Gaffé had said that he would take it, if he had need of it; but that he had made no use of it.

The Court decreed that, in accordance with the agreement between MM. Gaffé and Harmand and since it is apparent that M. Gaffé did not use the canoe, his boat should be returned to him in the same condition, and condemned the said Harmand to pay the costs.

M. Levy and Chartier

At the same Court M. Levy sues Michel Chartier for having seventeen planks which the named Charpentier had sold to M. Marchessaux and which the latter had transferred to the said Levy; but the said Chartier had resold these same planks on pretext that the said Charpentier was in partnership with him and owed him money. The Court decreed that the said Chartier be condemned, as it does condemn him, to return the planks aforesaid to the said M. Levy, and to pay all the costs of justice.

Bissonnette and Quenel

At the same Court Jos. Bissonnette sues Pierre Quenel for a pig which was killed in the grain and which had passed through the said Quenel's fence; and he says that the said pig was appraised by Pierre Roy and Fr. Courier at the sum of one hundred *livres;* and

sonette demandant quil Luy Soit rendu un pareil Cochon que Celuy qui Luy a Eté tué.

La Cour a condanné led[t] quenel a rendre un Cochon tel que Celuy de Bissonette qui sera Estimé siuvant La grosseur de l'autre par Les même Estimateur, sauf aud[t] Bissonette avoir le Choix ou Des Cent livres Destimation ou le Cochon Estimé, Et Led[t] quenel Condanné a Payer Les fraix.

LOUIS GAUT ET LOUIS LECOMTE

a une même Cour Louis lecomte poursuit Louis Gaut pour Cinquante Livres En argent payable En Daré [*sic*] pour une Charette quil Luy a vendu Et que luy ayant demendé plusieur fois. Led[t] Louis Gaut repond quil auroit offert une tomberé de maÿs moyenant quil la luy Paye Cinquante Livres Comme Elle vaut, mais que led[t] Lecompte ne voulant Pas La payé plus de quarante livres led[t] Louis Gaut luy a offert de Largent, Et offre de luy En donner.

La Cour a condanner Led[t] Lecomte a prendre son payement En argent puis quil a refusé de payer La tomberé de maÿs Ce prix quelle vaut Et a payer Les fraix.

La Cour Est ajourné au deux du mois X[bre].

fr. saucier Greffier J B H LaCroix Pres[t]

a une Cour du 22. 9[bre] 1784. Par Extraordinaire

Presidant M[r] B[te] Dumay

Jean B[te] LaCroix Joseph Bissonette Pres[t]

Pierre Roy

Demendeur P[re] PREVOST deffandeur ANTOINE ARMAND

deffendeur [*sic*]

Le demandeur poursuivant Le deffendeur Conclud par Sa requete de ce jour a ce que led[t] s[r] armand Soit condanné a payer Sans delay ou a luy livrer mille quatrevingt quinze livres de farine pour restant de ses Billets Echus Et Seize cent quarante six livres en argent par son obligation hypotequaire Echue et dont Sentence de condamnation a Eté cy devant Rendue contre led[t] s[r] armand.

ouy aussi le deffendeur en Ses deffences qui a observé a la

[1] The petition was always drawn up in formal language, the last paragraph of which was the conclusion, in which the formal demand for justice was made. The conclusion, therefore, contained the exact statement of the demand made in the petition.

the said Bissonnette demands that there be returned to him a similar pig to the one that was killed.

The Court condemned the said Quenel to return a pig like Bissonnette's and that it shall be appraised according to the weight of the other by the same appraisers, reserving to the said Bissonnette the right to chose either the hundred *livres* appraised or the pig; and the said Quenel is condemned to pay the costs.

LOUIS GAUD and LOUIS LECOMTE.

At the same Court Louis Lecomte sues Louis Gaud for fifty *livres* in money payable in commodities for a cart, which he sold the latter, and which he had demanded several times. The said Louis Gaud answers that he had offered a load of corn on condition that Lecompte should pay him for it fifty *livres*, as it was worth; but that, since the said Lecomte was unwilling to pay for it more than forty *livres*, the said Louis Gaud offered him money and offers to give it to him.

The Court condemned the said Lecomte to take his payment in money, since he refused to pay for the load of corn the price that it was worth and to pay the costs.

The Court adjourned to December 2.

Fr Saucier, Clerk. J. B. H. LaCroix, President.

At a Court, November 22, 1784, special session

President, Bte. Dumay.
Jean Bte. LaCroix. Joseph Bissonnette.
Pierre Roy. Present.

PIERRE PREVOST, Plaintiff, *vs.* ANTOINE HARMAND, Defendant.

The plaintiff sues the defendant and concludes[1] by his petition of this day that the said M. Harmand should be condemned to pay without delay or to deliver to him one thousand and ninety-five pounds of flour for the balance of his matured notes, and sixteen hundred and forty-six *livres* in money on his matured mortgage obligation, and for which judgment has been already rendered against the said Harmand.

The defendant was also heard in his defence and brought to the notice of the Court that in so evil times as the present, when the crop has totally failed, he was not in a position to pay without

Cour que dans un tems si malheureuse comme il se trouve presentement la recolte ayant manqué totalement il Etoit hors detat de pouvoir payer sans exposer sa famille dans la derniere necessité, que ses Biens Etoient tous existants tels quil les avoit hypotequés aud^{t} S^{r} Ceré quil suplioit la Cour de luy accorder un delais jusques au mois davril, offrant aud^{t} tems de payer ladite somme portée en son obligation ainsi que la farine avec les interest suivant lusage.

Le tout vû et consideré avec les pieces a Nous produites par les parties Et aprés murement examiné la Circonstances du tems. La Cour a accordé aud^{t} S^{r} armand deffendeur le delais jusques dans le Cour davril de lannée prochaine pour payer la somme portée En Son obligation hypotequaire ainsy que les dix sept cent livres de farine quil livrera aud^{t} tems faute de quoy la payera a raison de Soixante dix livres le Cent En argent Et en outre les interest depuis Lecheance de Ses Billets, Le tout Sans desroger a lhypoteque que led^{t} S^{r} Ceré a Sur les Biens dud^{t} S^{r} armand laquelle Nous hotorizons dabondant par ces presentes, Et En cas que led^{t} s^{r} prevost faisant pour led^{t} s^{r} Ceré ne trouve pas les Biens dud^{t} S^{r} harmand suffisant pour repondre desdites sommes Et farines permis a luy de demander Caution aud^{t} S^{r} harmand p^{r} sa plus grande sureté, a quoy nous condamnons led^{t} s^{r} harmand. Et en outre en tous les fraix et depens de Lextraordinaire qui seront avancés sans delais par led^{t} S^{r} prevost suivant le Memoire qui luy En sera fourni par le greffier sauf son recour pour son remboursement Contre led^{t} S^{r} armand.

La Cour est ajourné au 2 du mois de decembre prochain.

J B H LaCroix.

a une Cour du 8^{ie} Jenvier 1785.

Président B^{te} Saucier — Joseph Bissonette

Louis Chatel — Pierre roy

Louis Pillet — Present

Demendeur Nicolas turgeon Deffendeur Philipe Gervais

Le demendeur poursuit le deffendeur Disant quayant Donné un Capot de Couverte a Son negre que Celuy du deffendeur

[1] The handwriting, language and orthography of the record appear to be those of Joseph Labuxiere, who was appointed clerk the next year, June 20, 1785. Probably Saucier was

exposing his family to dire need, and that all his present property was already mortgaged to the said M. Cerré; and he begs the Court to grant him a delay till the month of April, at which time he offers to pay the said sum carried in his note and also the flour with interest according to usage.

After considering everything and viewing the documents produced before us by the parties and after carefully examining the circumstances of the time, the Court granted M. Harmand, the defendant, the delay until during the course of April of next year to pay the sum entered in his mortgage obligation and also the seventeen hundred pounds of flour, which he shall deliver at the said time, in default of which he shall pay for it at the rate of seventy *livres* the hundred in money and besides the interest since the maturity of the notes, the whole without vitiating the mortgage which the said M. Cerré has on the property of the said M. Harmand, which we sufficiently authorize by these presents; and in case that the said M. Prevost, who is acting for the said M. Cerré, does not find the property of the said M. Harmand sufficient to be answerable for the said sums and flour, he is permitted to demand surety from the said M. Harmand for his greater security, and we condemn the said M. Harmand to this, and furthermore to pay all costs and expenses of the special session, which shall be advanced without delay by the said M. Prevost according to the memorandum which will be furnished him by the clerk, reserving to him recourse for his reimbursement against the said M. Harmand.

The Court adjourned to the 2nd of the month of December next.[1] J. B. H. LaCroix.

At a Court, January 8, 1785.

President, Bte. Saucier. Joseph Bissonnette.
Louis Chatel. Pierre Roy.
Louis Pillet. Present.

NICOLAS TURGEON, Plaintiff, *vs.* PHILIPPE GERVAIS, Defendant.

The plaintiff sues the defendant saying that he gave his negro a blanket coat and that the defendant's negro had come to his

absent and his place was supplied by this trained notary-clerk. For an account of him, see p. 625, note 16.

auroit ete Ches Luy le Prendre Sous le pretex dit il que le negre dit demendeur luy devoit, Et quayant Eté ches led^t^ deffendeur pour ravoir led^t^ Capot quil auroit d^t^ au d^t^ Demendeur quil ne Ce meloit point de Ces affaires La.

Le deffendeur repond que Son negre auroit vendu de La toil au negre du demendeur pour du coton En Echange Et que ne L'ayant pas fait Cest qui a fait que Son negre alé [*sic*] prendre Le Capot pour Jusqua ce quil Soit Payé.

La Cour a ordonné que le Capot du negre dud^t^ Demendeur Soit rendu par le negre du deffendeur Et que tant aux marché que les deux negre ont fait Ensemble que Les maitre preté La main a ce quil Soit payé. Et aux Deffendeur a payé Les fraix.

a une même Cour M^r^ ant. Girardin represnte a la Cour quayant deja mesuré une Sertaine quantité de terre a la fontaine du pain de Sucre pour y faire une habitation, suivant sa requette, qui até [*sic*] appointé.

La cour Est ajourné a Jeudy 3^ie^ fevrier.

f. saucier Greffier B Saucier

a une Cour du 3^ie^ fevrier 1785.

Président B^te^ Saucier Pierre roy

B^te^ Dumay Jos^h^ Bissonette

Louis Pillet Present

Robert Watts Demendeur

une requette Presenté par m^r^ Robert Watts Demandant une Demy lieu de terre En quaré quil Bornera Luy même au Premier ruissau qui Passe Plus Loin que le Chemin qui monte Les cottes au marais Des Bute, Et qui a Eté appointé suivant sa demande.

La Cour Est ajourné 3^ie^ mars.

B Saucier

Bequet et Granmon.

a une même Cour B^te^ Bequet porte plainte Contre Pierre Granmon pour une Somme de Cent vingt cinq Livres pour Lavoir traitté Dans sa maladie, Granmon ayant Eté assiné a refusé de

[1] I have found very little about Robert Watts outside of what is contained in this volume, for which see *Index*. He came to Illinois in the year 1782, and was the principal settler at Grand Ruisseau. He was appointed commandant of that post by the magistrates of Cahokia. See pp. 295, 597; *Papers of Old Cong.*, xlviii., 177.

house and taken it, under pretext, he said, that the negro [of the] said plaintiff owed it to him, and that when he went to the defendant's house to get the said coat that the defendant had told the said plaintiff that he never mixed himself up in these affaires.

The defendant answers that his negro had sold some cloth to the plaintiff's negro in exchange for some cotton; and that since the latter did not keep his agreement, his negro went and took the coat to hold until he should be paid.

The Court decreed that the coat of the plaintiff's negro be returned by the defendant's negro, and that the masters take a hand and see that the bargain, which the two negros have made, is carried out; and the Court condemned the defendant to pay the costs.

At the same Court M. Ant. Girardin shows the Court that he has already measured a certain piece of land at the Sugar Loaf Spring for the purpose of making a dwelling there according to his petition, which was granted.

The Court adjourned to Thursday, February 3.

At a Court, February 3, 1785.

President, Bte. Saucier.	Pierre Roy.
Bte. Dumay.	Jos. Bissonnette.
Louis Pillet.	Present.

ROBERT WATTS,[1] Applicant.

A petition presented by M. Robert Watts, in which he asks for a half league square of land, of which he will lay out the limits himself at the first creek crossing the road which goes up the hill to the swamp of the bluffs; [?] and it was granted according to his petition.[2]

The Court adjourned to March 3.

B. Saucier.

BECQUET and GRANDMONT.

At the same Court Bte. Becquet brought complaint against Pierre Grandmont for a sum of one hundred and twenty-five *livres* for having treated him during his sickness. Grandmont was sum-

[2] The grant was at Grand Ruisseau. It was recommended for confirmation by the U. S. land commissioners.—*Amer. State Pap., Public Lands*, ii., 219. For Grand Ruisseau, see map; *Introduction*, pp. cxxii., cxlviii., and *post* pp. 217, 219, 307.

paroitre, led^t^ Bequet ayant Declaré quil Etoit Due aud^t^ Granmon par M^r^ Labbadie, La Cour Est Dopignon quil sera saisy Entre Les main dud^t^ S^r^ Labaddie La Somme de Cent Cinquante livres tant Pour La Somme reclamé par B^te^ Bequet que Pour les fraix.

fr. saucier Greff B Saucier.

a une Cour du 24 Mars 1785.

Presidant B^te^ Saucier Pierre Roy
B^te^ Du May Louis Pillet
Louis Chatel Prese

une requette presenté par jacob groot demandant que pour lever les contestations qui sont Entre luy et gemes pigoust pour les terres quils ont prises au grand Ruisseau La Cour leur permete de Nommer des arbitres pour tirer la ligne Entreux.

La Cour a ordonné que les parties Nommeront des arbitres quils Choisiront eux memes pour tirer la ligne Entre leur terre qui font leur Contestation ce qui sera Executé.

Labuxiere gref. B Saucier.

a la meme cour une requete En reparation dhoneur presentée par francois Camus Contre le Nommé hardouin aprés que les deux parties ont produit de part Et dautres Les Certifficats des temoins qui se sont trouvez contradictoire. ouy les deux parties En leur demandes Et déffences le tout murement consideré Et Examiné Et aprés que led^t^ hardouin a declaré En presence de la Cour quil reconnoissoit led^t^ francois Camus pour honneste homme que dans les propos quil avoit tenû il Navoit pas Entendu dire que le S^r^ camus luy avoit volé une taure mais quil Croyoit que cele quil avoit vû dans sa Cour Etoit la sienne. Nous avons debouté Le s^r^ Camus de toute Ses demandes Envers led^t^ har-

[1] It is said that James Piggott was born in Connecticut and was engaged in the privateering service during the American Revolution.—Reynolds, *My Own Times*, 64. He was commissioned captain of the military associates of Westmoreland Co., Pa. on April 6, 1776, and in October of the same year, captain of the 8th Pennsylvania regiment, and served under General Arthur St. Clair until October 22, 1777. His commissions are in *Dr.* MSS., 1Z36–72. Why, and when he came to Illinois rests on traditions handed down in his family, and may be found both in Reynolds and the *Dr.* MSS. According to these sources, he joined Clark's expedition to Illinois as an independent volunteer and served through the Kaskaskia campaign. He then became a colonist at Fort Jefferson, where he was in command during the siege by the Chickasaws in 1781 (*sic*). He then moved to Kaskaskia and in 1783 built Piggott's fort at Grand Ruisseau. Unfortunately for this story of his prowess, his name does not appear in any list of Clark's soldiers.—English, *Conquest of the Northwest*, ii., 1067. His command at Fort Jefferson is not mentioned in any of the letters of his contemporaries, nor is he mentioned

moned and refused to appear. The said Becquet declared that money was owing the said Grandmont by M. Labadie. The Court is of the opinion that seizure shall be made of the sum of one hundred and fifty *livres* in the hands of M. Labadie for the sum claimed by Bte. Becquet and for the costs.

Fr. Saucier, Clerk. B. Saucier.

At a Court, March 24, 1785.

President, Bte. Saucier. Pierre Roy.
Bte. Dumay. Louis Pillet.
Louis Chatel. Present.

A petition presented by Jacob Groot, in which he prays that, in order to end the disputes between himself and James Piggott[1] over the land they have taken up at Grand Ruisseau the Court permit them to name arbitrators to draw the line between them.

The Court decreed that the parties shall name arbitrators, whom they shall choose themselves, to draw between their lands the line which is in dispute, for which there will be execution.

Labuxiere, Clerk. B. Saucier.

At the same Court a petition in satisfaction of honour was presented by François Camus against the named Hardouin. After the parties on both sides produced the certificates of witnesses, which are found to be contradictory, the two parties were heard in their prayers and defences and all were carefully considered and examined; and after the said Hardouin declared in the presence of the Court that he regarded the said François Camus as an honest man and that in the conversation he had held, he had not intended to say that Fr. Camus had stolen a heifer, but that he believed that the one he had seen in the yard was his, we have denied all the demands of M. Camus against the

as officer or soldier by any one. This is not absolute proof, for the name of the commanding officer of Fort Jefferson during the siege is not given anywhere, as far as I can find. Captain George was in command in October, 1780.—*Va. State Pap.* i., 382. It is to be noticed that both the quoted authorities in favor of Piggott name 1781 instead of the correct year, 1780, as the date of the siege. This is interesting, since in 1787 Piggott declared that he took up his residence in Illinois in the year 1780. *Pap. of Old Cong.* xlvii., 177. As later pages of this volume will show, he was not the principal resident at Grand Ruisseau. See *post* pp. 289, 599, 605. When Piggott's old commander came to Illinois as Governor St. Clair, Piggott became the prominent man, he had longed to be during the rule of the French court, and was appointed to the position of justice of the court of St. Clair County. — Smith, *St. Clair Papers*, ii., 165. In 1797 he established a ferry from Cahokia to St. Louis. His daughter described him as a little short of six feet with black hair, blue eyes and fair complexion.

douin a deffaud par luy de Setre mis En regle dans les formes pour Ses certifficats de temoin Et condamnons Le Nommé hardouin En Cent Cinq livres du frais occasionné par led^t^ hardouin p^r^ les requetes ordres Et autres frais de justice Raport a quelques propos inconsiderés Et sans malice quil peut avoir tenu; La dit jour vingt quatre mars 1785.

La Cour ajournée au Sept davril prochain davril [*sic*].

Labuxiere greffier B. Saucier.

a une Cour du Six juin 1785.

President B^te^ Saucier Louis Pillet

Louis Chatel Joseph Bissonet

Pierre Roy

une requette presentee par le S^r^ gabriel Ceré En datte du 4. de ce mois demandant Et expositive quil a fait saisir Les Biens du S^r^ antoine harmand Armand [*sic*] Sans facon En vertu dune sentence de la Cour du 22 9^bre^ dernier Rendue contre led^t^ S^r^ harmand Et Encore En vertu de Son obligation cautionée par Jean B^te^ duMay passé a la Suite de la dite sentence pour le payement de deux mil six cent vingt Six livres six sols huit deniers En argent que led^t^ sans facon ou led^t^ dumay devoit payer au terme du mois davril dernier que faute de payement led^t^ s^r^ Cerré a fait Saisir les Biens dud^t^ sans facon pour etre vendus judiciairement au plus ofrant Et dernier Encherisseur sous la huitaine quil suplioit la Cour daccorder ladite vente. vu aussi la Saisie faite des Biens dud^t^ sans facon par lhuissier de cette justice le 31. may dernier. Ensemble la requete presentée ce dit jour par le s^r^ antoine harmand Expositive quil reclame lautorité de la Cour contre linjustice qui luy a Eté faite pour un negre quil a acquis de Lencan des mineurs nicole que led^t^ negre Etoit Empoisoneur avant quil En acquis de cette sucession ayant Eté convaincu davoir Empoisonné son maitre Et sa maitresse Et quil sest Evadé des mains de la justice, que led^t^ harmand a Eté condamné injustement a le payer et que cest pour cette somme quil se trouve aujourdhuy

[1] *Expositive*, not a term of French law, but it is used in both English and Spanish law. Its use in the record from now on is probably due to the presence in Cahokia of Joseph Labuxiere, who had served as notary under the Spanish in St. Louis for several years.

[2] *Denier*, the twelth part of the *sol*.

said Hardouin because of his failure to conform strictly to the legal forms for his certificates of testimony; and we condemn the named Hardouin to pay one hundred and five *livres* expense occasioned by the said Hardouin for petitions, orders and other expenses of justice connected with some words, ill-considered and without malice, which he may have said. The said day, March 24, 1785.

The Court adjourned to the 7th of April next.

Labuxiere, Clerk. B. Saucier.

At a Court, June 6, 1785.

President Bte. Saucier. Louis Pillet.
Louis Chatel. Joseph Bissonnette.
Pierre Roy. Present.

A petition presented by M. Gabriel Cerré, dated the 4th of this month, petitionary and explanatory [1], in which he says that he has made seizure of the goods of the said Antoine Harmand called Sansfaçon by virtue of a decree of the Court rendered the 22nd of November last against the said M. Harmand, and also by virtue of his note, indorsed by Jean Bte. Dumay, and made after the said decree, for the payment of two thousand six hundred and twenty-six *livres* six *sols* eight *deniers* [2] in money, which the said Sansfaçon or the said Dumay ought to have paid in the month of April last; and that in default of payment the said M. Cerré has made seizure of the goods of the said Sansfaçon that they may be sold by the authority of justice to the highest bidder within the week; and he begs the Court to grant the said sale. In view of the seizure of the goods of the said Sansfaçon made by the *huissier* of this Court, the 31st of May last, and also in view of the explanatory petition presented this said day by M. Antoine Harmand, in which he claims the authority of the Court against the injustice which has been done him in regard to a negro, whom he bought at the auction of the minors Nicolle, and who was a poisoner before he acquired him from that estate, for the said negro had been convicted of having poisoned his master and mistress and escaped from the hands of justice; and in which the said Harmand affirms that he was condemned unjustly to pay for him, and that it is for

poursuivy par le S^r^ Ceré comme tuteur des mineurs nicole demandant une revision de douze jurés pris sur cette Rive pour Reviser lafaire selon les loix Et la justice. Le tout vû Et Consideré Nous avons accordé au S^r^ harmand Sans facon une revision de douze jures pris sur cette Rive Et non ailleurs pour deliberer Et reviser ladite affaire lesquels sassembleront jeudy prochain suivant la Nomination qui En sera faite par la Cour Et cependant le s^r^ du May Restera Caution jusqua la parfaite deffinition des jurés Et la Saisie subsistera jusqua leur sentence deffinitive Le tout a la Conservation des droits de qui il apartiendra Si mandons &c. cesd^t^ jour Et an.

La Cour est aujournée pour le sept de juillet prochain.

B Saucier

Note Des Jurés que La Cour a Nomé led^t^ Jour pour La definition de la Santance cy dessus, qui Sassanbleront Jeudy Prochain 9 Du Aoust En La Chambre Daudience pour rendre Santance definitif sans Pourvoir quitter leur Séance Savoir, M^rs^ ant. Girardin, Philip Angel, Paul Hubert Lacroix, J B^te^ Bergeron, henry Biron, J. B^te^ Gaffé, B^te^ Morel, Ch^le^ Ducharme, Fr Courié, Js^h^ Labuxiere Pere, ant Boyé, J. B^te^ Dubuque, arretté ced^t^ Jour a la Suitte de la Cour.

fr. saucier Greff B Saucier.

a une Cour Extraordinaire du 9^ie^ Juin 1785.

President B^te^ Saucier	Louis Pillet
Pierre roy	Jos^h^ Bissonet
Louis chatel	B^te^ DUMAY

Demendeur GABRIEL CERRÉ Deffendeur ANT. HARMANT

La Cour Etant assamblé Pour Prendre Le Serment des Douze Jurés cy devant Denomé Et sont a Linstant Comparu Les Sieurs ant. Girardin Philipe Engel Paul Hubert lacroix J B^te^ Bergeron henry Biron J B^te^ Gaffé J B^te^ morel ch^le^ Ducharme, fr Courrié Jos^h^ Labuxiere ant Boyé Et J B^te^ Dubuque, Lesquels ont Preté Serment sur les S^t^ Evangille, de Bien sacquitter En leur charge de Juré suivant les Pieces qui leurs Seront Presenté, Dans Laffaire Entre M^rs^ Cerré Et Sanfaçon Jusqua leurs Santance difinitif.

this sum that he is to-day sued by the said M. Cerré, acting as guardian of the minors Nicolle; and in which he prays for a revision of the case according to law and justice by twelve jurors drawn from this bank: in view and in consideration of all this we granted to M. Harmand called Sansfaçon, a revision of the said case by a twelve jurors drawn from this bank and not elsewhere, and they shall assemble Thursday next according to their appointment by the Court; and moreover M. Dumay shall remain bondsman until the final decision of the jurors and the seizure shall continue until their definitive verdict, all for the preservation of rights of whomsoever it shall concern; so we command, etc. this said day and year.

The Court adjourned to the 7th of July next.

B. Saucier.

Panel of jurors whom the Court named this said day for their decision on the above judgment and who shall assemble Thursday next, the 9th of August, in the audience chamber to render definitive verdict before adjourning to wit: MM. Ant. Girardin, Philippe Engel, Paul Hubert Lacroix, J. Bte. Bergeron, Henry Biron, J. Bte. Gaffé, Bte. Morel, Charles DuCharme, Fr. Courier, Joseph Labuxiere, Sr., Ant. Boyer, J. Bte. Dubuque; resolved this said day at the close of Court.

Fr. Saucier, Clerk. B. Saucier.

At a special session of the Court, June 9, 1785.

President, Bte. Saucier.	Louis Pillet.
Pierre Roy.	Joseph Bissonnette.
Louis Chatel.	Bte. Dumay.

Present.

Gabriel Cerré, Plaintiff, *vs.* Ant. Harmand, Defendant.

The Court assembled to receive the oath from the twelve jurors here above named and there immediately appeared MM. Ant. Girardin, Philippe Engel, Paul Hubert LaCroix, J. Bte. Bergeron, Henry Biron, J. Bte. Gaffé, J. Bte. Morel, Charles DuCharme, Fr. Courier, Jos. Labuxiere, Ant. Boyer and J. Bte. Dubuque, who made oath on the Holy Gospels to acquit themselves well of their duty of jury in accordance with the documents,

La Santance difinitif ayant Eté Presenté a la Cour a Eté omologué Et approuvé par la ditte Cour Ced[t] Jour Et an.

B Saucier

a une Cour du 20 de Juin 1785.

Les Sieurs antoine Girardin J B[te] Lacroix Ch[le] duCharme Philipe Engel Jean B[te] Dubuque Francois Courier et Thomas Brady, ayant Eté nomé par la nouvelle Ellection, sont Comparu, Et apres avoir Preté Serment de fidelité ainsi que Celuy doffice Et ont Pris Leurs Place En leurs qualité de Magistra.

a une meme Cour Joseph Labuxiere a preté Serment de Fidelité ainsi que celui doffice En Sa qualité de greffier de la Cour de ce district.

a une meme Cour pierre troge a prêté Serment doffice Et de fidelité dans sa Charge dhuissier de cette dite Cour.

N° 1[er]

a la meme cour accorde a pierre martin quartre cent quarante arpens de terre a lendroit apellé la petite prairie a titre de Concession.

N° 2

a la meme cour accordé a thomas Bredy quatre cent quarante arpens de terre a lendroit apellé la petite prairie sur les Cotes a titre de Concession suivant sa requete de ce jour a luy remise.

a une meme Cour.

President Jean B[te] LaCroix	Philipe Engle
ant Girardin	thom. Bredy
Charl. ducharme	francois Courier

demandeur JEAN B[te] MOREL deffendeur JEAN B[te] GAFFÉ

Le demandeur repete par son compte courant contre le deffendeur la Somme des quatre vingt dix neuf livres huit sols En argent. le deffendeur aleguant que dans ce voyage led[t] morel Etoit obligé de parole verbales a luy fournir la voiture Et les

[1] Among the Cahokia records in the library of the Chicago Historical Society are the following documents belonging to this case:—The petition of Cerré of November 22, 1784, the petition by the same of June 1, 1785, of which the record of the session of June 6, 1785, contains the substance, and the verdict of the jury. The jury, which was composed of the

which shall be presented them in the case between MM. Cerré and Sansfaçon, until they shall have reached a definitive verdict.

The definitive verdict was returned to the Court and confirmed and approved by the said Court this said day and year.[1]

B. Saucier.

At a Court, June 20, 1785.

MM. Antoine Girardin, J. Bte. Lacroix, Ch. DuCharme, Philippe Engel, Jean Bte. Dubuque, François Courier and Thomas Brady, having been elected at the new election, appeared and, after having taken oath of fidelity and also that of office, took their place as magistrates.

At the same Court Joseph Labuxiere took oath of fidelity and also that of office as clerk of the Court of this district.

At the same Court Pierre Troge took oath of office and of fidelity for his commission of *huissier* of this Court.

No. 1.

At the same Court there was granted Pierre Martin four hundred *arpents* of land in the place called the Little Prairie by right of concession.

No. 2.

At the same Court there was granted Thomas Brady four hundred *arpents* of land in the place called the Little Prairie on the bluffs by right of concession in accordance with his petition returned this day to him.

At the same Court.

President, Jean Bte. LaCroix.	Philippe Engel.
Ant. Girardin.	Thom. Brady.
Charles DuCharme.	François Courier.

Jean. Bte. Morel, Plaintiff, *vs.* Jean Bte. Gaffé, Defendant.

The plaintiff brings a claim against the defendant for the sum of ninety-nine *livres* eight *sols* in cash according to his current account. The defendant pleads that the said Morel was bound by verbal agreement to furnish him the boat, the necessary men and supplies for the said journey and that he

most influential men of the village, decided that, since Pompée, the negro, was purchased by Harmand after the charge of poisoning the Nicolles was made against him, the purchase should be annulled and Harmand released from his note as well as from interest and costs.

hommes necessaires Et vivres pour le susdit voyage quil na pas Effectué Sa promesse ouy les repliques, demandes Et deffences le tout Examiné nous avons Renvoyé les parties hor de Cour et de procés a ce sujet Sans pouvoir Rien se repeter lun Enver lautre depens compensez Entreux.

a la meme cour

demandeur FRANCOIS COYOLLE deffendeur PIERRE TROGE

Le demandeur concluant a ce que le defendeur soit condamné a luy payer un billet de Neuf cent vingt Sept livres quinze sols quil a produit.

Le defendeur a repondû quil avoit fait des ouvrages a demandeur a compte dud^{t} Billet et quil ofroit de finir led^{t} ouvrage que cependant il Convenoit aprés louvrage fait detre Encore redevable aud^{t} demandeur. le tout examiné nous avons condamné le d^{t} troge a payer presentement la somme de Cent livres aud^{t} sr. Coyole la somme de Cent livres [*sic*], En outre quils Regleront leurs comptes sous huit jours Et led^{t} troge a faire louvrage quil est Convenû, Sous trois mois de ce jour Et aprés led^{t} ouvrage fini Et leur compte arrete le Condamnons a payer la solde de son compte aud^{t} s^{r} Coyole sans aucuns delais Et aux depens.

a la meme Cour.

CLEMENT ALARY demandeur ETIENNE ARDOUIN defendeur

Le demandeur exposant que led^{t} ardouin a abandonne une pouliche au petit Laramée quil Croyoit morte Et sur les risques dud^{t} laramée pour une petite truye. le deffendeur aleguant quil Croyoit avoir fait un badinage vû le Certificat de michel girardin qui declare que le change a Eté fait de Bonne foy Et sans Badinage Nous adjugeons la pouliche aud^{t} Clement alary ou laramée. lequel livrera la petite truye aud^{t} ardouin Et par des domagement Condamnons led^{t} Clement alary aux depens.

a la meme cour le S^{r} francois saucier a Rendû compte a leon Lepage de la sucession de Ses pere Et mere comme Chargé du recouvrement dont le dit Leon lepage luy a donné quitance.

has not kept his promise. When these replies, prayers and defences were heard and all examined, we dismissed the parties and the suit on the subject without allowing either party to bring suit against the other; the costs are to be shared between them.

At the same Court.

François Caillot, Plaintiff, *vs.* Pierre Troge, Defendant.

The plaintiff concludes that the defendant should be condemned to pay him a note, which he produced, for nine hundred and twenty-seven *livres* fifteen *sols*.

The defendant answered that he had done some work for the plaintiff on account of the said note and offered to finish the said work, and moreover agreed that after the work was finished that he would be still in debt to the plaintiff. After all was examined, we condemned the said Troge to pay now the sum of one hundred *livres* to the said M. Caillot; and furthermore decided that they shall settle their accounts within eight days, and the said Troge is to finish the work for which he has contracted within three months from this day, and after the said work is finished and their account closed, we condemn him to pay the balance of his account to the said Caillot without delay, and to pay the costs.

At the same Court.

Clement Alarie, Plaintiff, *vs.* Etienne Hardouin, Defendant.

The plaintiff shows that the said Hardouin abandoned a filly which he believed dead to the little Laramée and at the risk of the little Laramée in exchange for a little sow. The defendant pleads that he believed that it was a joke. Considernig the certificate of Michel Girardin who declares that the exchange was made in good faith and not as a joke, we adjudge the filly to the said Clement Alarie or Laramée, who shall deliver the little sow to the said Hardouin; and for damages we condemn the said Clement Alarie to pay the costs.

At the same Court M. François Saucier rendered account to Leon Lepage of the estate of his father and mother, as entrusted to make recovery, for which Leon Lepage gave him receipt.

a la meme cour les magistrats voulant Etablir une taxe fixe pour les frais de justice En Egard au temp present avons fixé et taxé les frais de justice ainsy quil suit

Premierement	En argent
au juge de Semaine	
par chaque sentence	5[lb]
par chaque vacation	10
par chaque ordre	2 10
au greffier	
par chaque ordre	5
par chaque sentence	5
a lhuissier	
par chaque ordre	5
par chaques ordres de Criee	3
p[r] afiche Et publication	2
par chaque vacation aux Encan de 2 heures ½	3
pour une saisie provisoire	5
p[r] une jdg executoire	10

Et pour tous autres frais ils subsisteront Comme sur Lancien pieds

arreste lesd[t] jour Et an.

Labuxiere gfer J B H LaCroix pr. Sidant

a la meme Cour a Eté decidé Entre les sept magistrat que le s[r] LaCroix Restera juge de Semaine.

La Cour est ajournee au 1[er] 8[bre] 1785.

Labuxiere grefier J B H LaCroix pr. Sidan

a la meme Cour Entre le s[r] jean B[te] Gaffé demandeur Contre antoine harmand dit Sans facon deffendeur En Confirmant la sentance de la Cour En datte du 4. 9[bre] dernier Nous condamnons le s[r] harmand a rembourser au s[r] Gaffé les frais quil a fait p[r] Racommoder la voiture quil a presté aud[t] s[r] harmand Et ce Sans delais Et aux depens.

La Cour ajournée au 1[er] 8[bre] 1785.

Labuxiere gfier J B H LaCroix pr. Sidan

[1] The justice of the week was chosen by the court to hold weekly sessions between the sessions of the court. There is in Belleville, Ill., a record of this court from July 9, 1785, to February 14, 1786. It contains only sixteen pages, and there is little of interest in it. The court is called "reformed"

At the same Court the magistrates wishing to establish a list of fixed prices for the costs of justice with reference to the present time, have established and do establish the costs of justice as follows:

First	in cash.
To the justice of the week [1]	*livres.*
For each judgment	5
For each *vacation* [2]	10
For each writ	2. 10
To the clerk	
For each writ	5
For each judgment	5
To the *huissier.*	
For each writ	5
For each order to be proclaimed	3
For placard and publication	2
For each sitting at an auction of 2½ hours	3
For a provisional seizure	5
For an execution	10

And all other cost shall continue on the former scale.

Ordered this said day and year.

Labuxiere, Clerk. J. B. H. LaCroix, President.

At the same Court it was decided by the seven magistrates that M. LaCroix shall remain justice of the week.

The Court adjourned to November 1, 1785.

Labuxiere, Clerk. J. B. H. LaCroix, President.

At the same Court in the suit between M. Jean Bte. Gaffé, plaintiff and Antoine Harmand called Sansfaçon, defendant, we confirm the decree of the Court of the 4th of November last and condemn M. Harmand to reimburse M. Gaffé for the costs he has incurred in repairing his pirogue, which he lent M. Harmand, and that without delay, and to pay the costs.

The Court adjourned to October 1, 1785.

Labuxiere, Clerk. J. B. H. LaCroix, President.

[2] *Vacation*, time spent in performing some official act; in this case some act not ending in a judgment, hence belonging to non-litigious judicial acts, such as appointing a guardian, settling an estate, etc.

a une Cour du 1er 8bre 1785.

President Mr LaCroix	Philip Engel
ant girardin	charles Ducharme
Tho. Brady	fr Courier
Bte dubuc	

Les Magistrats Etants assemblés la Cour seante aprés avoir murement deliberé Entreux Sur les Circonstances malheureuses du tems ou il y a ny recoltes, ny argent, de plus la perte des Besitaux occasionnée par linondation Et maladie Contagieuse. la Cour considerant que les habitants de ce district par tous les fleaux qui leurs Sont arrivez Sont En Retard de payer leurs debtes Et que leurs Creanciers Sans avoir Egard a leurs miseres leurs font vendre leurs effets Et Bestiaux pr un vil prix aux trois quarts de leurs valeur, ce qui Ruine totalement Lesdits habitans Et voulant Remedier a un mal aussi dangereux Et Si Ruineux au public, la Cour a decidé Et decide que tout Créanciers ne poura faire vendre Les Biens de Son debiteur quant a present vû le manque despece Et de pelterie qui metent Les debiteurs hors detat de payer. mais que les Effets qui seront Saisis aux dits debiteurs Seront Estimez par arbitres Et gens Connoisseurs Et que Le Creancier Sera obligé de les prendre au prix de Lestimation Si mieux il naime accorder du tems audt debiteur En payant Linterest.

[*Signed*]

T Brady	at Girardin
B Dubuq	Ch DuCharme
Phillipe Engel	J B H LaCroix p. sd
Labuxiere grefier	
a la meme Cour	

Le Sr motard demandeur Contre Le Sr Bouvet Lamarche deffendeur

vu la requet du Sr motard expositive que le deffendeur luy doit une somme de Cinq cent quarante six livres Cinq sols pour marchandises par Son compte, quil luy a vendû du mahis pr partie de

[1] The flood of 1785 was one of the severest in the history of the Mississippi. The water extended to the bluffs on both sides. The people of Cahokia and Kaskaskia were obliged to seek shelter on the higher ground. At Kaskaskia many houses were swept away. The western bank suffered no less severely, and the old village of Ste. Genevieve was deserted for a site more protected from the river.—Dodge to Wm. Clark, Oct, 18, 1785, *Dr. MSS.* 1M126.

At a Court, October 1, 1785.

President, M. LaCroix. Philippe Engel.
Ant. Girardin. Charles DuCharme.
Tho. Brady. Fr. Courier.
Bte. Dubuque.

The magistrates being assembled and the Court in session, after carefully deliberating on the unhappy conditions of the time, when there are neither crops nor money; and considering furthermore the loss of the cattle occasioned by the inundations and contagious disease;[1] and considering that the inhabitants of this district on account of all the troubles, which have occurred, are backward in paying their debts and that their creditors without heed to their miseries are having their goods and cattle sold for a low price at three fourths of their value, which is ruining the said inhabitants totally; and wishing to remedy an evil so dangerous and so ruinous to the public, the Court has decided and decides that no creditor can have the property of his debtor sold, as at present, because of the lack of money and peltries, which puts the debtors out of position to pay; but that the goods of the said debtors, which shall be seized, shall be appraised by arbitrators and appraisers and the creditor shall be obliged to take them at the appraised price, if he does not prefer to allow the debtor time on condition of paying interest.

[*Signed.*]

T. Brady. Ant. Girardin.
B. Dubuque. Ch. DuCharme.
Philippe Engel. J. B. H. LaCroix, President.
Labuxiere, Clerk.

At the same Court.

M. Motard, Plaintiff *vs.* M. Bouvet Lamarche Defendant.

The explanatory petition of M. Motard was examined, in which he says that the defendant owes him the sum of five hundred and forty-six *livres* five *sols* for merchandise according to his account and that the latter sold him corn for part of the said sum without knowing the quantity that he had in his barn, which did not amount to eighty sacks, and that the plaintiff had bought it at the rate of fifty *francs* the load of eighteen sacks

ladite somme sans savoir la quantité quil y avoit dans son grénier qui naloit pas a quatre vingt sacs. quil lavoit acheté sur le pieds de Cinquante franc la tomberée de dixhuit sacs de deux minots. mais que par une autre Convention led^{t} Bouvet devoit mener Le mahis a S^{t} Louis ou il devoit Etre mesuré Et le Demandeur devoit le payer 60^{lb} la tomberée Et devoit luy fournir une voiture p^{r} le Charoyer seulement que quelque jour aprés led^{t} Bouvet a vendu le mahis Et que le S^{r} Bouvet luy a fait manquer a Ses Engagement par le deffaud de luy livrer le mahis oy [*sic*] le d^{t} Bouvet En Ses deffences qui a dit que le s^{r} motard luy avoit livré une voiture Sans tolet ny Rames Et quil navoit pas sans servir Et que par ce retard Et diminution quil y avoit Eu sur le mahis il lavoit vendû Et quil ne desavouoit pas devoir ladite somme le tout Consideré La Cour a decidé que led^{t} Bouvet payera la somme de Cinq cent quarante six livres Cinq sols quil doit aud^{t} s^{r} motard Et ce Sous un mois de ce jour Et au deffaud quil Sera saisy de Ses Effets pour ladite somme Et Estimez par arbitres Lesquels Effets led^{t} s^{r} motard sera tenû de prendre au prix de lestimation si mieux il naime donner plus long terme aud^{t} Bouvet En payant linterest a raison de Cinq pour Cent Et Condamnons led^{t} Bouvet aux frais que nous avons liquidez a la Somme de quinze livres ce qui sera executé la Cour seante tenue par M^{r} LaCroix presidant M^{r} antoine girardin Thom Bredy B^{te} Dubuc, philipe Engel, Charle duCharme Et fr Courier lesd^{t} jour Et an.

J B H LaCroix

a la meme Cour

M^{r} Antoine girardin apelant de la Sentence arbitrale Rendu Contre le 7 7^{bre} dernier Contre le S^{r} Izaac Levy Deffendeur Et demandeur.

Les parties ayant parû a ladite Cour seante ced^{t} jour Sont Convenû de Sen Raporter a la decizion sans apel de M^{rs} Thom Bredy, philipe Engel francois Courier Et charles ducharme magistrats Lesquels aprés etre Bien Et murement instruit des Raisons qui font la Contestation du Boeufs en difficulté Entre le demandeur et le deffendeur Et se trouvant les dits S^{rs} quatre magistra de deux

of two *minots* each; but that by another agreement the said Bouvet was to deliver the corn at St. Louis, where it was to be measured and the plaintiff was to pay him 60 *livres* the load and to furnish him a boat merely for transporting it; and that some days later the said Bouvet sold the corn and caused the plaintiff to fail in his engagements,because the said Bouvet did not deliver him the corn. Heard the said Bouvet in his defence, who said that M. Motard had delivered him a boat without tholes and oars and that he had not been able to use it, and that on account of the delay and the decrease there was in the corn he had sold it, and that he did not deny that he owed the said sum. After all was considered, the Court decided that the said M. Bouvet shall pay the sum of five hundred and forty-six *livres* five *sols* which he owes M. Motard and this within a month from this day, and in default of payment that there shall be a seizure of his goods for the said sum and they shall be appraised by arbitrators; which goods the said M. Motard shall be bound to take at the price of the appraisement, unless he prefers to give the said Bouvet a longer term and receive interest at the rate of five per cent. And we condemn the said Bouvet to pay the costs, which we have set at fifteen *livres*, for which there will be execution. At the session of the Court held by M. LaCroix, President, MM. Ant. Girardin, Tom. Brady, Bte. Dubuque, Philippe Engel, Charles DuCharme, and Fr. Courier, this said day and year.

J. B. H. LaCroix.

At the same Court.

M. Antoine Girardin, appealing from the sentence by arbitration rendered against him the 7th of September last, *vs.* M. Isaac Levy, plaintiff and defendant.

The parties appeared at the said session of the Court this day and agreed to refer their cause without right of appeal to the decision of MM. Tom. Brady, Philippe Engel, François Courier and Charles DuCharme, magistrates. After being well and carefully instructed in the grounds of the contest about the ox in dispute between the plaintiff and the defendant, the four magistrates finding themselves divided in opinion called in M. François

avis differents ont apellé M^r^ francois trotier pour Cinquiesme juge. les autres magistrats nayant pu donner leur voix p^r^ etre temoins ou ayant Servy dans la p^re^ Cause. cest pour quoy nous magistrats Cy devant Nommés Sommes davis Et notre decizion est que M^r^ girardin remetra un Boeuf au S^r^ Levy du meme age de celuy qui fait actuellement la matiere de la Contestation. Lequel Boeuf Led^t^ s^r^ Levy sera Contraint de recevoir en place de celuy vendu de bonne foy par le s^r^ girardin au s^r^ forget Et les condamnons a payer Chacun La moitié des frais qui ont Eté fait Et ceux fait p^r^ la presente sentence ce qui sera executé sans aucun apel ny Renvoy a autre seance tel est notre opinion Et notre decizion.

[*Signed*]

DuCharme fr trottier

Phillipe Engel T Bredy

Labuxiere grefier

La Cour est ajourné au deux de janvier et a Nommé M^r^ Charle ducharme pour juge de Semaine Lequel a accepté ladite Charge. Ch DuCharme.

aujourdhuy Septieme jour doctobre mil Sept Cent quatre vingt Cinq a la requisition du s^r^ Izaac Levy la Cour Setant assemblée pour recevoir le Serment doffice de douze jurés pour decider Et reviser laffaire dEntre Led^t^ S^r^ Levy Et le S^r^ antoine Girardin.

Lesdits S^rs^ jurés Etants Comparus cejourdhuy Pardevant ladite Cour savoir les S^rs^ bergeron Louis gau, Paul poupart Louis Pillet, antoine Boyer, Charles Lefevre mathieu Saucier, philipe Gervais pierre martin, B^te^ Dumay, Raphael Gagnez, pierre Laperche dit S^t^ jean, Les quels apres avoir fait aparoir de Lassignation qui leur a Ete donnée Le jour de hier la Cour leur a fait faire sermant doffice Sur les Saints Evangile de decider En leur ame Et Conscience ladite contestation au Sujet du Boeuf qui fait la matiere du proces Entre les parties Et ont promis Et jure dy proceder suivant Leurs Sermant Les pieces Et Sentence cy devant Rendues leurs ayant

[1] This is in accordance with the law governing arbitration. See *supra*, p. 160, note 1.

[2] This case was begun by Levy bringing suit against Lapancé for the ox in the court of the justice of the week, September 7, 1785. Girardin declared that the ox was his, when he sold it to Lapancé, and offered as proof that his brand as well as Levy's was on the animal. Arbitrators were appointed, who decided in favor of Levy. Two days later Girardin appealed from the decision.—*Record* of the justice of the week in Belleville, Ill.

Trottier as a fifth judge. The other magistrates were not able to give their opinion, since they were either witnesses or had served in the first suit[1]. For this reason we, the magistrates herebefore named, are of the opinion, and our decision is, that M. Girardin shall return to M. Levy an ox of the same age as that which is at present the subject of the contestation; which ox the said M. Levy shall be compelled to accept in place of the one sold in good faith by M. Girardin to M. Forget; and we condemn each to pay half of the costs, which have been made, and those made for the present judgment, for which there will be execution without any appeal or reference to another session; such is our opinion and our decision.[2]

[*Signed*]

Fr. Trottier DuCharme.

T. Brady. Philip Engel.

Labuxiere, Clerk

The Court adjourned to the Second of January and named M. Charles DuCharme as judge of the week and he accepted the said office.

To-day the seventh day of October, 1785, on the application of M. Isaac Levy the Court was assembled to receive the oath of office of a dozen jurors to decide and revise the case between M. Levy and M. Antoine Girardin.

The said MM. jurors appeared to-day before the said Court, to wit: MM. Bergeron, Louis Gaud, Paul Poupar, Louis Pillet, Antoine Boyer, Charles Lefevre, Matthieu Saucier, Philippe Gervais, Pierre Martin, Bte. Dumay, Raphael Gagné, Pierre Laperche called St. Jean, and, after having shown their summonses given them yesterday, the Court made them take the oath of office on the Holy Gospels to decide on their conscience the said litigation in regard to the ox which makes the matter of the suit between the parties, and they have promised and sworn to act according to their oaths. The documents and judgment heretofore rendered were placed in their hands this day by us, Charles DuCharme, Bte. Lacroix, President, B. Dubuque, Tom. Brady and François Courier.

At the session of the Court the said day and year.

Labuxiere, Clerk. J. B. H. LaCroix, President.

Eté remise En main cejourdhuy. par nous Charles DuCharme B^te^ LaCroix presidant, B^te^ Dubuc, Thom Bredy, Et francois Courier.

La Cour seante lesd^t^ jour Et an.

Labuxiere greffier J B H LaCroix p sd

Et a linstant led^t^ S^r^ Levy a fait paroitre armant telier pour rendre temoinage Sur ce quil Sait a loccasion du Boeuf Et a linstant led^t^ amant telier Etant Comparû luy avons fait faire Sermant de dire la verité Sur ce qui est a Sa Connoissance a ce sujet devan Lesd^t^ s^r^ jurés Et a dit ne savoir signer Lesd^t^ jour Et an.

Labuxiere grefier J B H LaCroix pr. sd

Led^t^ S^r^ Levy a fait comparoitre aussi le^t^ S^r^ philipe Engel pour rendre temoinage Sur ce qui est a Sa Connoissance a loccasion du Boeuf en Contestation lequel a linstant Etant Comparû luy avons fait faire Sermant de dire la verité a M^rs^ Les jurez Sur ce qui est a sa Connoissance et a Signé lesd^t^ jour Et an.

Philipe Engel

Labuxiere grefier J B H LaCroix pr sd

Le S^r^ Girardin a fait comparoitre francois alexandre habitant de la pr^ie^ du pont pour rendre temoinage devant M^rs^ Les jures de ce qui est a Sa Connoissance sur le Boeuf En Contestation, lequel aprés sermant fait devant M^rs^ les magistrats Sur les Saints Evangiles a promis Et juré de repondre Et declarer selon la verité Sur tout ce quil sait concernant led^t^ Boeuf Et dit ne savoir signer lesd^t^. jour Et an.

Labuxiere grefier J B H LaCroix pr sd

Et led^t^ jour Sept octobre mil Sept cent quatre vingt Cinq. Nous Jean B^te^ Bergeron, Louis Gau, Paul poupart, Louis Pilet, antoine Boyer, Charle Lefevre, Mathieu Saucier, Philipe Gervais, p^re^ martin, B^te^ DuMay, Raphael Gagnez Et pierre Laperche tous jurés Nommés par M^rs^ Les magistrats pour decider Le procés en Contestations dEntre le S^r^ Izaac Levy et le S^r^ antoine Girardin ouy Les Deux parties En leurs demandes repliques, reponses Et Contestations remontrances, dires Et requisitions quils nous ont fait verbalement par leur Bouche avant notre decizion, Ensemble La deposition de amant telier, de francois alexandre du S^r^ philipe

And now the said M. Levy summoned Armant Tellier to give testimony of what he knew about the ox. The said Armant Tellier now appeared and we caused him to make oath to tell the truth about what was within his knowledge on this subject before the said MM. jurors; and he said that he did not know how to sign his name the said day and year.

Labuxiere, Clerk. J. B. H. LaCroix, President.

The said M. Levy summoned also M. Philippe Engel to give testimony of what was within his knowledge about the ox in dispute. He now appeared and we caused him to make oath to tell the truth to MM. the jurors about what is within his knowledge; and he has signed the said day and year.

Philippe Engel.

Labuxiere Clerk. J. B. H. LaCroix.

The said M. Girardin summoned François Alexandre, inhabitant of Prairie du Pont, to give testimony before MM. the jurors of what was within his knowledge about the ox in dispute; and he, after oath was made on the Holy Gospels before MM. the magistrates, has promised and sworn to answer and declare according to the truth in regard to all that he knows concerning the said ox; and he said that he did not know how to sign the said day and year.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

The said day the seventh of October, 1785, we Jean Bte. Bergeron, Louis Gaud, Paul Poupar, Louis Pillet, Antoine Boyer, Charles Lefevre, Matthieu Saucier, Philippe Gervais, Pierre Martin, Bte. Dumay, Raphael Gagné and Pierre Laperche, all jurors appointed by MM. the magistrates to decide the case in dispute between M. Isaac Levy and M. Antoine Girardin, after hearing the two parties in their prayers, replies, responses, contestations, remonstrances, pleadings and applications, which they have made to us verbally by word of mouth before our decision, together with the depositions of Armant Tellier, François Alexandre and Philippe Engel, which they have made on oath before us, and after examining the petitions and the documents produced by M. Girardin as well as the certificate, act of appeal and judgment

angel quils ont fait devant Nous par Sermant, Les requetes Et pieces a Nous produites par le S^r^ girardin tant certificat acte dapel que sentences Rendues sur les registres daudience Le tout dont nous avons pris une parfaite connoissance et nous etre instruit de laffaire concernant le Boeuf en Contestation depuis le Commencement de la p^re^ visite jusqua ce jour, Et avoir fait ce dit jour visite dud^t^ Boeuf Et des Etampes Sur la fesse aprés lavoir fait razer pour plus grande sureté Et Eclaircissement, Et apres Etre plainement instruit de toute Ladite Contestations et avoir donné notre opinion, Selon Nos ames Et conscience En consequance du sermant que nous avons fait Nous sommes tous davis Et condamnons M^r^ antoine Girardin a rendre Le meme Boeuf quil a vendû au s^r^ joseph Lapensée, au S^r^ Levy Comme Etant Son propre Boeuf a quoy faire le S^r^ joseph Lapensée Contraint. Solidairement avec led^t^ s^r^ Girardin comme led^t^ Boeuf se trouvant actuellement En la pocession dud^t^ joseph Lapensée, Sauf aud^t^ S^r^ Girardin et Lapensée de Saranger Ensemble pour se faire Raison dud^t^ Boeuf En en [*sic*] remetant un autre aud^t^ Lapensée ou Saranger Comme Bon luy semblera. Sans pouvoir par led^t^ s^r^ Girardin ny lapensée retenir plus longtems led^t^ Boeuf En Contestation qui sera Remis aud^t^ S^r^ Levy sous vingt quatre heures Et en outre Condamnons M^r^ antoine girardin En tous les frais Et depens depuis le Commencement du procés jusqua ce jour Lesquels frais Seront liquidez par la Cour, telle est notre opinion et notre decizion Et avons signé Et fait nos marques ord^res^ lesd^t^ jour et an.

[*Signed*]

Mth. Saucier	Louis gaud	pierre Laperche
marque de	marque de	marque de
+	+	+
Charles Lefevre	pierre martin	Louis pilet
marque de	marque	marque de
+	+	+
B^te^ Dumay	Bergeron	Philipe Gervais
marque	marque de	marque de
+	+	+
dantoine Boyer	raphael Gagnez	paul poupart

rendered on the registers of the Court, of all which we have received a perfect knowledge, and after we have instructed ourselves of the cause concerning the ox in dispute, since the first inspection up to this day; and after we have made this said day an inspection of the said ox and of the mark on the buttock, after having it shaved for greater sureness and clearness; and after being fully instructed of all the said litigation and having given our votes according to our conscience in consequence of the oath which we have taken; we are all agreed and condemn Antoine Girardin to return to M. Levy, as it is his own, the same ox which the former sold to M. Joseph Lapancé, to which M. Joseph Lapancé is constrained conjointly and severally with the said M. Girardin, since the ox is at present in the possession of the said Joseph Lapancé, reserving to the said MM. Girardin and Lapancé to make arrangements together to do each other justice for the said ox either by gift of another to the said Lapancé from M. Girardin or by making arrangements as seem good to them; without power by the said M. Girardin or Lapancé to retain the ox in litigation a longer time, but it shall be returned to the said M. Levy within twenty-four hours: and furthermore we condemn M. Antoine Girardin to pay all costs and charges from the commencement of the suit up to this day, which costs shall be determined by the Court. Such is our opinion and our decision, and we have signed and made our marks this said day and year.

[*Signed*]

Mth. Saucier.	Louis Gaud.	Pierre Laperche
Mark of	Mark of	Mark of
+	+	+
Charles Lefevre	Pierre Martin	Louis Pillet
Mark of	Mark of	Mark of
+	+	+
Bte. Dumay	Bergeron	Philippe Gervais
Mark of	Mark of	Mark of
+	+	+
Antoine Boyer	Raphael Gagné	Paul Poupart

Veu par la Cour la Sentence de lautre part laquelle nous confirmons Et homologuons par ces presentes et ordonons quelle Sortira son plain et Entier Effets Et avons signé lesd[t] jour Et an.

[*Signed*]

marque de	DuCharme
+	Brady
fr. Courier	J B H LaCroix.
B Dubuque	
Labuxiere grefier	

aujourdhuy huitiesme jour doctobre mil sept cent quatre vingt Cinq Est Comparû au greffe de ce siege le S[r] jean B[te] LaCroix porteur du billet cy aprés lequel men a requis moy grefier Sousigné Lenregistrement portant ce qui Suit.

En presence des temoins Sousigné moi jean marie durant Sous ma marque je promet et moblige payer a la N[lle] orleans a lordre du S[r] jean B[te] laCroix la Somme de Cent quatre vingt dix neuf livres En argent pour pareille Somme que led[t] S[r] ma preté aux Cahos le 20. aoust 1784. Signe dun + p[r] marque de J. M. durant, fr saucier temoin. Et apres led[t] Enregistrement fait led[t] original a Eté remis par moy greffier Sousigné aud[t] S[r] jean B[te] LaCroix qui a Signé avec moi lesd[t] jour Et an.

Labuxiere grefier J B H LaCroix.

du 12. 9[bre] 1785.

a une Cour tenue Extraordinairement par Les magistrats cy aprés Nommés.

M[rs] Charles ducharme	Thom Bredy
J B[te] Dubuque	Philipe Engel

Le S[r] Jean B[te] LaCroix demandeur

Le demandeur Suplie la Cour de luy accorder Sa demission pour la traite des Sauvages En ce village ainsi quelle luy avoit Eté accordée par une Sentence de ladite Cour du 8 mars 1782. Et confirmée par une autre Sentence de la meme Cour du 29 8[bre]

[1] This should have been entered in the book of record, which is printed hereafter, pp. 449 *et seq.* Its registration here may be due to an error of the clerk, but from now on this book is occasionally used in this way.

[2] See also pp. 125, 575.

The judgment of the other part being duly considered by the Court, we confirm and sustain it by these presents and order that it shall have its full and entire effect; and we have signed this said day and year.

[*Signed*]

Mark of	Ducharme
+	Brady
Fr.Courier	J. B. H. LaCroix
B. Dubuque	Labuxiere, Clerk.

To-day, the eighth day of October, 1785, there has appeared a the record-office of this jurisdiction M. Jean Bte. LaCroix bearing the following note, and he required of me, the undersigned clerk, the registration thereof, and it contains what follows:

In the presence of the undersigned witnesses, I, John Marie Durand, under my mark, promise and bind myself to pay at New Orleans to the order of M. Jean Bte. LaCroix the sum of one hundred and ninety-nine *livres* in money in return for a like sum which the said gentleman has loaned me at Cahokia, the 20th of August, 1784. Signed with + for the mark of J. M. Durand; Fr. Saucier, witness; and after the said registration was made, the said original was returned by me, the undersigned clerk, to M. Jean Bte. LaCroix, who has signed with me the said day and year.[1]

Labuxiere, Clerk. J. B. H. LaCroix.

November 12, 1785.

At a special session of the Court held by the magistrates hereafter named:

MM. Charles DuCharme.	Thom. Brady.
J. Bte. Dubuque.	Philippe Engel.

M. Jean Bte. LaCroix Petitioner

The petitioner prays the Court to accept his resignation of the privilege to trade with the savages in this village in the form it was granted him by a decree of the said Court, March 8, 1782,[2] and confirmed by another decree of the said Court the 29th of October last, for reason known to himself; and he declares that he abandons and leaves it to the Court to make orders in regard thereto.

dernier pour raison a luy Connue declarant quil labandonne Et laisse a la disposition de la Cour den ordonner.

Veu la demande du S^r^ LaCroix Nous avons Ennulé Sa demission Et Le dechargeons de la traite des sauvages En ce poste Et de toutes les conditions aux quelles il setoit oblige par la Sentence du 8 mars 1782.

DuCharme P. sd.

Labuxiere grefier J B H LaCroix.

Et a linstant Sont comparus les S^rs^ Izaac Levy Et Thom Bredy citoyen de ce village Les quels ont suplié La Cour de leur accorder la meme traite Et privilege dont le S^r^ LaCroix a donné Sa demission, offrant de se Conformer a la sentence du 8 mars 1782. surquoy La Cour a accordé Et accorde aux exposant le meme privilege qui avoit Eté cy devant donné aud^t^ s^r^ LaCroix Et ont fait Sermant de sy Conformer lesd^t^ jour Et an.

Brady. J B H LaCroix psd

Labuxiere grefier

La Cour assemblée voulant remedier aux abus continuels qui se Commetent journellement dans ce village par lau de vie qui se versse aux sauvages dont il En resulte des Effets tres dangereux Et pernissieux au bien Et a la tranquilité publique.

La Cour a deffendu Et deffent trés empressement a toutes personnes de telle qualité Et conditions quelles puissent etre de donner aucunne Boisson Enyvrante aux Sauvages, Sous pretexte de visite de Camarade, de Connoissance, traite ou autrement, pas meme Seulement un Coup Soit a leur arrivée ou a leur depart a peine de trois cent livres damande, de Confiscation de la traite, quils auront fait Et de plus grande peine En Cas de residive. dont les Sauvages Seront Crû Sur leur declaration Sans quil Soit Besoin de plus grande preuve. Et les Sauvages Seront arretés jusqua ce quils ayent fait leur declaration Reservons neantmoins la liberté a M^r^ trotier commandant de ce village den donner avec prudence Et moderation lors que les sauvages viendront Le voir tant pour les Conseil que pour les autres occasions ou un Commandant ne peut Sen dispanser ainsy quil est dusage donné la Cour Seante lesd^t^ jour Et an. Et la presente Sera lue publiée Et

In view of the prayer of M. LaCroix we have accepted his resignation and relieved him of the trade with the savages in this post and of all the conditions by which he was bound by the decree of March 8, 1782.

DuCharme, Pres.

Labuxiere, Clerk. J. B. H. LaCroix.

And now appeared MM. Isaac Levy and Tom. Brady, citizens of this village, who petitioned the Court to grant them the same commerce and privileges, of which M. LaCroix gave his resignation, and they offer to conform to the decree of March 8, 1782. Whereupon the Court has granted and does grant to the petitioners the same privilege, which had been herebefore given to the said M. LaCroix; and they have made oath to conform thereto the said day and year.

Brady. J. B. H. LaCroix, Pres.

Labuxiere, Clerk.

The Court assembled to remedy the continual abuses, which are daily committed in this village through the liquor which is served to the savages, from which there results effects very dangerous and penicious to the welfare and the tranquillity of the public.

The Court has forbidden and does forbid very expressly all persons, of whatever quality and condition they may be, to give any intoxicating drink, even a draught, to the savages under pretext of social visit, of acquaintance, by way of trade or otherwise, either on their arrival or their departure, on pain of three hundred *livres* fine and confiscation of the business they have made, and of greater punishment in case of second offense; in regard to which the savages shall be believed on their affidavit without need of greater proof, and the savages shall be held until they have made their affidavit. We reserve, however, to M. Trottier, commandant of this village, the liberty to give some with prudence and moderation, when the savages shall come to see him either for holding councils or on other occasions when a commandant cannot dispense therewith, as it is customary. Given at the session of the Court the said day and year. And the present decree shall be read, published and placarded on the door

afichée a la porte de cette Eglise Et signifiee au marchand Etranger residant En ce poste a ce quils nen pretendent Cause dignorence.

Labuxiere grefier J B H LaCroix p Si

Publieé et afichée p^r^ la 2^e^ fois le 3 x^bre^ 1786. Labuxiere

a une Cour du dix neuf Novembre mil sept cent quatre vingt Cinq. Le S^r^ pierre antoine Thabault a fait Serment de fidelité aux Etats unis de Lamerique Et promis de se Conformer aux Edits et reglements du Gouvernement de virginie et a Signé lesd^t^ jour Et an. P A Tabeau

J B H LaCroix pr.sed. Labuxiere

a la meme Cour

M^r^ Jean Dumoulin demandeur contre Pierre Troge deffendeur

Le demandeur a produit un billet contre le deffendeur de la Somme de Sept cent quatre vingt une livres quinze sols En argent Echus En demandant le payement.

Le deffendeur a reconnu le Billet Et a dit Navoir point de quoy le payer actuellement quil demdoit [*sic*] huit jour de delais. Pour saranger avec le S^r^ Caillole avec qui il avoit des comptes. le demandeur a replique que jusqua ce tems M^r^LaCroix ne se denantisse pas de quarante Cinq Sacs de mahis quil avoit apartenants aud^t^ troge.

La Cour faisant droit a accorde Le delais de huit jour aud^t^ troge Et jusqua ce tems a Saisy conservatoire[1] entre les mains de M^r^ LaCroix les quarante Cinq Sacs de mahis p^r^ led^t^ tems passé etre ordonné ce quil apartiendra.

Labuxiere grefier J B H LaCroix pr.sd

a une Cour du deux janvier mil sept Cent quatre vingt Six tenue par

Messieurs jean B^te^ LaCroix, presid^t^.

Thom Bredy Philipe angel

j. B^te^ Dubuque Charle duCharme

Les habitans du grand Ruisseau ont presente une Requete. que la dite a repondu et ordonne que les representant Seront sommis a cette jurisdiction comme Etant de cette dependance sauf a eux

[1] Note in the margin by the clerk.

of this church and announced to the alien merchants residing in this post, so that they may not plead the cause of ignorance.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

Published and placarded for the second time December 3, 1786.[1]

Labuxiere.

At a Court the 19th of November, 1785, M. Pierre Antoine Tabeau made oath of fidelity to the United States of America and promised to conform to the edicts and regulations of the government of Virginia, and has signed the said day and year.

P. A. Tabeau.

Labuxiere. J. B. H. LaCroix, Pres.

At the same Court.

M. Jean Dumoulin, Plaintiff, *vs.* Pierre Troge, Defendant.

The Plaintiff produced a note against the defendant for the sum of seven hundred and eighty-one *livres* fifteen *sols* in money, which is matured, and demands payment.

The defendant acknowledged the note and said that he did not have wherewith to pay at present and demands delay for a week to make arrangements with M. Caillot with whom he had some accounts. The plaintiff replied that until that time M. LaCroix ought not to dispose of forty-five sacks of corn, which he had, belonging to the said Troge.

The Court justly granted the delay of a week to the said Troge and until that time attached for security the forty-five sacks of corn in the hands of M. LaCroix, that orders may be given as may be fitting, when that time is passed.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court the 2nd of January, 1786, held by

MM. Jean Bte. LaCroix, President. Philippe Engel.

Tom Brady. Charles DuCharme.

J. Bte. Dubuque.

The inhabitants of the Grand Ruisseau presented a petition, which the said [Court] answered and it decrees that the petitioners shall be submitted to this jurisdiction as belonging to this dependency, reserving to them the right to name arbitrators in case of disputes in their affairs occurring among them, without detracting from

de nommer des arbitres En Cas de Contestation dans les affaires qui surviendront Entreux Sans desroger a lhotorité de cette dite Cour. Et leur accorde En outre de Nommer Entreux un Commandant pour y maintenir le Bon ordre Et la police qui sera subordonné au Commandant des Cahos Et Sujet a luy obeir et a recevoir Ses ordres Et qui se presentera devant cette dite Cour pour preter Sermant dofice Et de fidelité avant dexercer aucun pouvoir donné aux Cahos le deux janvier mil sept Cent quatre vingt Six.

Labuxiere grefier J B H LaCroix prdt

a la meme Cour

Le Sr Izaac Levy demandeur Contre Charles LaCroix forgeron deffendeur

Le demandeur produit un Billet de la Somme de huit Cent livres En argent dub par le deffendeur Et Echu demandant que ledt deffendeur Soit Condamné a luy En payer Sans delais le montant.

ouy aussi le deffendeur qui a reconnû Son dit Billet, mais quil est convenû verbalement avec le sr Levy dans le tems quil luy a fait Ses avances de prendre des Billets dhabitants En payements. Et que cest sa Convention sans laquelle il Nauroit Rien pris chés Le Sr Levy.

Le Sr Levy a repliqué le Contraire Et a dit quil netoit point Convenû de ce fait persistant a ce que le deffendeur Soit Condamné a luy payer ladite somme Sans delais N'Entendant aucunnement prendre des Bons dhabitant En payement.

Ledt Charles laCroix a soutenu que Ledt sr Levy Etoit Convenû verballement de prendre lesdt Bons dhabitants Et que Setoit Sa Convention.

Les quelles parties N'ont pu donner aucunnes preuves de part ny dautre Et le billet ne faisant aucunne mention de ce fait parties ouyes et le tout Consideré Et Examiné La Cour a ordonné Et ordonne quil sera donne audt Charles laCroix un mois de Credy pour retirer ce qui luy Est dub des habitants Soit En argent ou danrees au prix du Cour. les quelles payement Seront Remis

[1] The currency of the period consisted principally of what were called "peltry *bons*." They were notes, issued generally by the merchants, bearing on their face the inscription that they were good (*bon*) for so many pounds of shaved deer-skins. These were used in all the

the authority of this said Court; and it grants them furthermore the right to name among them a commandant to maintain there good order and police, who shall be subordinated to the commandant of Cahokia and obey him and receive his orders, and who shall present himself before this said Court to take the oath of office and of fidelity before exercising any authority. Given at Cahokia the 2nd of January, 1786.

Labuxiere, Clerk J. B. H. LaCroix, Pres.

At the same Court.

M. Isaac Levy, Plaintiff *vs.* Charles LaCroix, blacksmith, defendant.

The plaintiff produces a note for the sum of eight hundred *livres* in money due by the defendant and which has matured, and prays that the said defendant be condemned to pay to him the amount thereof.

Heard also the defendant, who acknowledged his said note, but says that it was agreed verbally with M. Levy, at the time that the latter made him these advances, to take some notes of the inhabitants in payment; and that this is his agreement, without which he would have taken nothing at M. Levy's.

M. Levy made rejoinder and said that there was no agreement of that kind and persisted that the defendant should be condemned to pay him the said sum without delay, since he did not intend to take *bons* [1] of the inhabitants in payment.

The said Charles LaCroix maintained that the said M. Levy made a verbal agreement to take the said *bons* of the inhabitants and it was his convention.

Neither party has been able to give any proof and since the note makes no mention of this agreement, after the parties were heard and all considered and examined, the Court decreed and does decree that there shall be given Charles LaCroix a month's credit to procure from the inhabitants what is due him either in cash or commodities at the price current, which payments in the same kind shall be delivered to the said M. Levy, who shall not be

transactions of the inhabitants. The form of a *bon* was as follows: "Bon pour six livre de Barbue a St. Louis ce 25 7bre, 1799. Antoine Roy."—*Address* by Judge W. C. Carr at St. Louis, February 15, 1747.

aud^{t} S^{r} Levy par led^{t} LaCroix En meme nature qui ne poura les refuser jusqua la Concurance de Son dub. si mieux naime led^{t} S^{r} Levy de sacommoder des Billets quil jugera a propos, ou avec les personnes qui les doivent Et condamnons le deffendeur aux frais que nous avons liquidez a quinze livres lesd^{t} jour Et an.

p^{r} Le grefe 10	J B H LaCroix prsdt
p^{r} lhuissier 5	Labuxiere grefier

La Cour est ajournée au 1er de fevrier mil sept cent quatre vingt six Et les Extraordinaire auront lieux.

a une Cour du quatorze fevrier mil Sept Cent quatre vingt Six.

M^{rs} Jean B^{te} LaCroix Presidant

fr. courier	Charles ducharme
antoine girardin	Philipe angel
	B^{te} Dubuque

JEAN B^{te} BARON demandeur contre LOUIS LAMBERT deffendeur et JOSEPH VAUDRY aussi defendeur

Le demandeur demande a la Cour quil luy soit payé la Somme de Soixante livres pour deux Communs quil a fait le printems dernier pour les dits deux deffendeurs par ordre de M^{rs} girardin Et Dubuque magistrats aux Communs De la prairie de ce village les dits deffendeurs ayant refusé de la faire dans le tems fixe.

ouy les deffendeurs qui ont dit quils navoient point de terre a la prairie de ce village Et quils avoient fait leur commun a la prairie du pont que ces Communs apartenoient a des personnes du village qui nen avoient point fait.

Le demandeur a repliqué quil les avoit faites pour les defendeurs par ordre de M^{rs} Dubuque Et girardin Et quil luy avoit promis de le faire payer, ouy M^{rs} Dubuque magistrats qui est Convenû du fait. Le tout consideré tout considere Nous condamnons les dits Lambert et vaudry a payer Chacun la s^{e3} de trente livres aud^{t} jean B^{te} Baron Et ce sans delais Et aux frais Et depens que nous avons liquidez a la Somme de vingt Cinq livres, dont dix livres p^{r} lhuissier et quinze livres pour le grefier tant p^{r} deux ordres que pour la presente sentence ce qui sera Execute lesd^{t} jour Et an

[1] Clerk's note in the margin.

allowed to refuse them up to the equivalent of his due, unless the said M. Levy prefers to accept notes which he shall judge good or to make arrangements with the persons who owe them; and we condemn the defendant to the costs which we have fixed at fifteen *livres* the said day and year.

For the record office 10. J. B. H. LaCroix, Pres.
For the *huissier* 5.[1] Labuxiere, Clerk.

The Court adjourned to the 1st of February, 1786, and special sessions shall have place.

At a Court, February 14, 1786.

MM. Jean Bte. LaCroix, President. Charles DuCharme.
Fr. Courier. Phillippe Engel.
Antoine Girardin. Bte. Dubuque.

JEAN BTE. BARON, Plaintiff *vs.* LOUIS LAMBERT, Defendant, and JOSEPH VAUDRY, also Defendant.

The plaintiff prays the Court that there be paid him the sum of sixty *livres* for two fences on the common field[2] which he made last spring for the said two defendants by order of MM. Girardin and Dubuque, magistrates for the fences of the meadows of this village, since the said defendants had refused to make it in the fixed time.

Heard the defendants who said that they had no land in the meadow of this village and that they had made their fence in the Prairie du Pont and that these fences in the common field belonged to some persons of the village who had not made them.

The plaintiff replied that he had made them for the defendants by order of MM. Dubuque and Girardin and that the former had promised him to make them pay. Heard M. Dubuque, magistrate, who has admitted the fact. All considered we condemn the said Lambert and Vaudry to pay each the sum[3] of thirty *livres* to the said Jean Bte. Baron and that without delay and to pay the costs and charges, which we fix at the sum of twenty-five *livres*, of which ten *livres* are for the *huissier* and fifteen *livres* for the clerk,

[2] This probably means the fence, but it might mean any other structure built by the community. The use of the feminine pronoun, however, would point to the idea of *la clôture* being in the clerk's mind.

[3] A common abbreviation for *somme*.

Sauf leur reur [*sic*] sur ceux quils disent navoir point fait de Commun tant p^r^ les soixante livres que p^r^ Les frais.

Labuxiere grefier J B H LaCroix pdt

La Cour est ajournée le deux de Mars mil sept cent quatre vingt Six.

Labuxiere grefier J B H LaCroix pr sd

a la meme Cour du 14 fevrier 1786.

La veuve Beaulieu demanderesse contre antoine Girardin deffendeur

La demanderesse a produit une requete Portant ce qui Suit.

a Messieurs les magistrats et president tenant la Cour du district des Cahos.

Messieurs

Madame veuve Beaulieu a l'honneur de vous exposer que depuis lespace de vingt trois ans ou plus elle est proprietaire d'une Sucrerie a elle conceddée par Messieurs Les missionnaires dont elle En a tous les titres Et depuis quelques mois, Monsieur Girardin Setant presenté a vôtre cour pour vous la demander de rechef vous luy avez accordé Sur la mauvaise information quil vous a faite. Et En ayant eu connoissance ainsy que plusieurs Citoyens de ce village En jugeant que Ceci ne pouvoit etre que prejudiciable, nous avons representé au Sieur girardin qu'il ne pouvoit nous oter, un bien qui nous apartenoit si legitimement et qu'il auroit grand tor dy faire travailler vû que cela ne pouvoit luy occasionner que de la perte, il nous a resisté En nous disant que nous etions trop ignorant pour juger de Ceci Et quil connoissoit mieux Lentendue de la Seigneurie qu'aucun habitant domicilié de ce village.

Le temps Etant venû pour travailler a nos sucrerie Nous nous y Sommes transportés Et avons trouvé le Sieur girardin, qui nous a fait deffences dy travailler Et meme de nous y presenter Et sil faloit En venir aux extremitez quil se Battroit Et resteroit plustost Sur la place et quil N'avoit aucune reserve a faire contre des coquins.

[1] The seigniory of the mission

both for the two orders and for the present judgment, for which there will be execution the said day and year, reserving to them recourse against those who, they say, have not made the fences, both for the sixty *livres* and for the costs.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

The Court adjourned [to] the second of March, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At the same Court, February 14, 1786.

The Widow Beaulieu, Plaintiff *vs.* Antoine Girardin, Defendant.

The plaintiff produced a petition containing what follows:

To MM. the Magistrates and President holding the Court of the District of Cahokia.

Gentlemen:

Madame Beaulieu, widow, has the honour to show you that for the space of twenty-three years or more she has been proprietor of a sugar-farm conceded to her by MM. the Missionaries from whom she has all the title deeds therefor; and that some months ago when M. Girardin presented himself at your Court to demand it from you anew, you granted it to him upon the misinformation which he made to you; and that I and also several citizens of this village, having had knowledge of this and judging that this could be only prejudicial, we have shown M. Girardin that he could not take away a property which belonged to us so legitimately and that it would be a great wrong to have work done upon it, seeing that it could only occasion him loss. He resisted us saying that we were too ignorant to judge of that and that he knew the extent of the seigniory[1] better than any inhabitant living in this village.

When the time to work on our sugar-farm came, we went thither and found M. Girardin, who forbade us to work or even to go there, and said that if it was necessary to come to extremities he would fight and would prefer to be killed on the spot, and that he had no reserve to make in dealing with rascals.

This report having been made to us we concluded to make our report to you; but M. Girardin, having recognized his fault as

ce raport Nous ayant Eté fait Nous avons Conclud de vous en faire notre Rapport, mais M^r girardin ayant connû Sa Faute plus grande que de Contume est venû des le lendamain trouver M^r trotier pour Se Blanchir Et y ayant trouvé madame Baulieu ainsy que plusieurs Cytoyens qui luy exposerent leurs raisons, disant que lon N'etoit pas pour se detruire, que nous En passerions par la justice, a quoy il nous a dit quil ne vouloit pas être jugé par aucuns Citoyens de L'Endroit, vû quil vous manquoit deux Choses la Siance et la probité. Et nous ne pretendons pas avoir Etably une Cour pour la detruire et pour nous faire juger par aucun Etranger. Tous les habitans demanden qu'il Soit denanty de tout ce qui luy a Eté accordé a la prairie du pain de Sucre parce quil est dans le Cas de Nuire a tous les habitans, Nous esperons que vous nous rendrés la justice que nous atendons de vos Bontez aux Kaos le 7 fevrier 1786.

signé = veuve Baulieu = pierre martin une + = chatel une + = p^re. cabassier une + = ch Lefevre = + Lafleur = L trotier = J B^te millot = + B^te Baron = + lebrun = + jean marie dorion = + Bergeron = + lagrave = desayes = h. B. i. biron = + gabriel Baron = B^te Saucier = fr. Lonval = p^re Lafleur = Lonval p^r Louis gau = francois Lapensé = + antoine Boyer = + groslé = + marque du compte = + j Lapensée = + clement alary = fr. granmont = M. Saucier = + gervais = + Butaud = + Louis pilet = + raphael gagnez = + gabriel telier = + vaudry = + peltier = + Bouvet = + joseph cecire = + B^te Dumay = fr. trotier = + charle la Croix = alexis + tabault + = chatel.

ouy le S^r girardin en Ses deffences qui a dit que la cour luy avoit accordé sa Concession sur le refus quavoit fait madame baulieu de representer Son titre a la Cour. quil avoit Exploite La terre dont est question pendant trois ans sans interuption de qui que ce soit Et y avoit fait des frais et depenses quil Croyoit que sa Concession devoit etre valable, Et a offert de remetre ladite terre a la dame baulieu Et aux habitans en luy Remboursant les frais que lon luy a laissé faire suivant un memoire quil a produit montant a 792[1b] En argent faute de quoy quil demandoit a Etre maintenu dans Sa concession.

[1] A reference to the United States' court, for which the French were to wait until 1790. The Court makes a similar reference to the expected court below.

greater than usual, came the next day to find M. Trottier to clear himself, and having found there Madame Beaulieu as well as several other citizens who set forth to him their reasons saying that it was not a question of destroying oneself, that we would submit to justice; upon which he said to us that he was not willing to be judged by any of the citizen of this place, since you were lacking in two things, knowledge and probity. And we do not pretend to have established a Court to overthrow it and to have ourselves judged by any outsider.[1] All the citizens pray that he may be deprived of all that which has been granted him in Sugar-Loaf Meadow, because he is in position to injure all the inhabitants. We hope you will render to us the justice which we expect from your benevolence. At Cahokia, February 7, 1786.

Signed Widow Beaulieu; Pierre Martin a +; Chatel a +; Pierre Cabassier a +; Ch Lefevre; + Lafleur; Louis Trottier; J. Bte. Milot; + Bte. Baron; + Lebrun; + Jean Marie Dorion; + Bergeron; + Lagrave; Deshayes; h. B. 1. Biron; + Gabriel Baron; Bte. Saucier; Fr. Lonval; Pierre Lafleur; Lonval for Louis Gaud; François Lapancé; + Antoine Boyer; + Groslé; + mark of Lecomte; + J. Lapancé; + Clement Alarie; Fr. Grandmont; M. Saucier; + Gervais; + Buteau; + Louis Pillet; + Raphael Gagné; + Gabriel Tellier; + Vaudry; + Pelletier; + Bouvet; + Joseph Cesirre; + Bte. Dumay; Fr. Trottier; + Charles LaCroix; Alexis + Tabeau; + Chatel.

Heard M. Girardin in his defense and he said that the Court had granted him his concession on the refusal of Madame Beaulieu to exhibit her title-deed to the Court; that he had farmed the land in dispute during three years without interruption from anyone and had incurred costs and expenses thereon; and that he believed that his concession should he held valid; and he offered to deliver the said land to Madame Beaulieu and to the inhabitants, if they reimbursed him for the expenses, which they permitted him to make, and which amounted to 792 *livres* in money according to a memorandum which he produced; in default of which he demanded that he be maintained in his concession.

Le tout consideré la Cour a apointé ladite Requete de la dame Beaulieu ainsy quil suit.

Veû la requete presentée a la Cour et les raisons alegués par toutes les parties Ensemble un titre du vicaire ou Curé des Cahos, par lequel il donne au S^r^ Beaulieu le Canton de Bois que ces predecesseurs Setoient reservez pour faire du Sucre daté du 19.9^bre^ 1763. produit ce jourdhuy par la veuve Baulieu, Ensemble notre concession accordée au S^r^ girardin En datte du premier octobre 1783. La Cour ne pouvant decider Sur la validité de l'un ou de Lautre titre atendû que lorsque nous avons donné ladite concession au S^r^ girardin, il a lui meme le jour precedant averty madame Baulieu de Nous representer Ses titres Si Elle En avoit, faute de quoy quil aloit demander Sa concession ce quelle a refusé coustament Et na voulû les produire a la Cour: vû led^t^ refus Nous avons Crû, devoir accorder ladite Concession aud^t^ S^r^ girardin dautant quil a Exploité ladite terre et fait des travaux pendant trois ans a la Connoissance de tous Les habitans des Cahos et de la dame beaulieu Sans opposition ny deffences des personnes cest en consequance que notre opinion netant pas de Casser aucunne des dites Concessions Nous renvoyons cette decizion au gouvernement que nous atendons qui Fera droit a qui il apartiendra donné aux Cahos la Cour Seante le quatorze fevrier mil sept cent quatre vingt Six Signé Sur la copie de la presente sentence Ecrite au bas de La requete Remise a la dame Beaulieu.

Dubuque = Philipe Engel = duCharme = une + pour marque de Courier tous quatres conseillers magistrats Et j B^te^ LaCroix presidant et moy grefier sousigné.

Labuxiere grefier. J. B H LaCroix pr. Sidant

delivré 1 copie de la Sentence a la veuve Baulieu delivre 1 copie de la requete et Sentence au s^r^ girardin.

[1] Note in the margin by the clerk.

All considered the Court referred the said petition of Madame Baulieu as follows:

In view of the petition presented to the Court and the pleadings by all parties, and also of a deed dated November 19, 1763, from the vicar or *curé* of Cahokia, by the terms of which he gave to M. Beaulieu the section of woods which his predecessors had reserved for making sugar, and which was exhibited this day by the widow Beaulieu; and also of our concession made to M. Girardin, dated October 1, 1783: the Court not being able to decide on the validity of either deed, because, when we gave the said concession to M. Girardin, he himself notified Madame Beaulieu on the preceding day to exhibit to us her deeds, if she had any, in default of which he said that he was going to ask for his concession, and she constantly refused and did not wish to produce the deeds in Court; considering the said refusal we believed that we ought to grant the said concession to the said M. Girardin, inasmuch as he had farmed the said land and had had work done on it for three years with the knowledge of all the inhabitants of Cahokia and of Madame Beaulieu without opposition or prohibition by anyone: therefore it is our opinion that, since we do not wish to annul either of the said concessions, we remit this decision to the government which we are expecting, and which will render justice to whomsoever it belongs. Given at Cahokia at the session of the Court, the 14th of February, 1786; and signed on the copy of the present judgment which is written beneath the petition returned to Madame Beaulieu.

Dubuque; Philippe Engel; DuCharme; a + for the mark of Courier, all four councilors and magistrates and J. Bte. Lacroix. President, and I, Clerk signed below.

Labuxiere, Clerk. J. B. H. LaCroix, President.

Delivered one copy of the judgment to the widow Beaulieu. Delivered one copy of the petition and judgment to M. Girardin.[1]

a une Cour du 2 Mars 1786.

M^rs jean B^te LaCroix, presidant.	Charles ducharme
Philipe Engel	Thom Bredy
fr Courier	j B^te Dubuque
	antoine girardin

accordé quatre concession aux cy aprés Nommés Savoir.

a jean B^te alary
a Charles Wood
a joseph Lambert
a joseph LaCouture

dont les originaux sont deposés au Rang des minutes du Notaria.

a la meme Cour delivré un ordre a jacob groot ameriquain pour se faire payer des habitans du grand Ruisseau.

La Cour est ajournée au p^r davril prochain.

a la dite Cour Le S^r Girardin a presente une requete contre la dame baulieu En datte du 28 f^er dernier tendant a la decizion de leur contestation p^r la terre du pain de sucre. la Cour assemblée a Confirmé Sa sentence du 14 f^er dernier Et Renvoy lexposan a se pourvoir devant le gouvernement que nous atendons ainsy quil a Eté Cy devant decidé par notre dite Sentence du quatorze fevrier dernier La Cour tenante led^t jour deux mars 1786.

[*Signed*]	B Dubq.	Brady
	Phillipe Engel	DuCharme
	de	
	marque + f^r	
	Courier	
		J B H LaCroix presdt

a une Cour du trois avril mil sept Cent quatre vingt Six tenue par

M^rs jean B^te LaCroix presd^t	Charles ducharme
antoine girardin	Philipe Engel
	jean B^te dubuque

Le S^r jean B^te LaCroix a rendu compte ce dit jour devant la Cour de la sucession de Michel Godiniere En presence de Louis

[1] The decision was not final. On March 31, Girardin petitioned the Court again, and his concession was sustained.—Chi. Hist. Soc., *Cah. Rec.*

At a Court, March 2, 1786.

MM. Jean Bte LaCroix, President. Charles DuCharme.
Antoine Girardin. Thom. Brady,
Fr. Courier. J. Bte Dubuque,
Philippe Engel.

Granted four concessions to the hereinafter named, to wit:
to Jean Bte. Alarie.
to Charles Wood
to Joseph Lambert.
to Joseph Lacouture.

The originals of these are deposited in the files of the minutes of the notary's office.

At the same Court: delivered an order to Jacob Groot, American, to compell payment by some inhabitants of Grand Ruisseau.

The Court adjourned to the first of April next.

At the said Court M. Girardin presented a petition against Madame Beaulieu, dated the 28th of February last, pleading for the decision of their litigation over the land of the Sugar-Loaf. The Court in assembly confirmed its judgment of the 14th of February last and dismissed the petitioner to sue before the government which we are expecting, as has been herebefore decided by our said judgment of the 14th of February last.[1] In the session of the Court the said second of March, 1786.

[*Signed*]

B. Dubuque Philippe Engel
Brady DuCharme
Mark of
+
Fr. Courier J. B. H. Lacroix, Pres.

At a Court, April 3, 1786, held by

MM. Jean Bte. Lacroix, President. Charles Ducharme.
Antoine Girardin. Philippe Engel.
Jean Bte. Dubuque.

M. Jean Bte. Lacroix, this said day, rendered before the Court account of the estate of Michel Godiniere in the presence of Louis Chatel according to the receipt which the

Chatel suivant la quittance que led^t^ Chatel en a donné ce susdit jour aud^t^ s^r^ LaCroix.

a La meme jour a Eté accordé au s^r^ jean dumoulin une saisie privilegieré sur toutes les pelterie et autres Effets Et maison provenants du produit des marchandises quil a avance a deffunt B^te^ Leduc. ladite saisie adressée au S^r^ Mailhet command^t^ dans la riviere des ilinois.

a La meme cour jacob groot habitant ameriquain a presenté un billet contre jean solivan par lequel il reclame trente minot de mahis ou quil ait a luy payer le prix quil vaut aujourdhuy.

oui led^t^ solivan qui a reconnû devoir les trente minot de mahis mais quil etoit hor detat de pouvoir les livrer quant a present.

Le tout considere a decidé que Ledit solivant payera aud^t^ groot dans le Cour doctobre prochain Le mahis a raison de Sept livres dix sols les minot En Egard au temps present de sa valeur actuelle montant a la somme de deux cent vingt Cinq livres Et que le payement sera fait soit En argent, Lard, farine ou mahis ou bled froment au Cour du prix du mois doctobre Et non En dautre danrées de laquelle somme a faute de payement dans led^t^ temps les effets dud^t^ solivant seront vendus Et condamnons led^t^ debiteur aux depens.

J B H LaCroix pr. Sdt

La Cour est ajourné au premier de May 1786.

J B H LaCroix p. S.

[1] Jean Dumoulin was a native of Switzerland. According to Reynolds (*Pioneer History*, 173), he was a man of good education and gentlemanly bearing. He must have settled at Cahokia about this time, although his name does not appear as a resident in the census of 1787. See *post* p. 624. In 1790 he was appointed a justice of the Court of Common Pleas, and from that time on he held many important positions. Like many others, he became wealthy by purchasing from the French their claims to land granted by Congress in various acts to the inhabitants of Illinois. Since the United States was dilatory in settling these claims, the poorer Frenchmen were compelled to part with their rights for a song. Dumoulin died in 1808. —Smith, *St. Clair Papers*, ii., 165.

[2] It is difficult to say anything about this man, since so much that is inconsistent and false has been written. In the *Record*, his name is written Mailhet; Reynolds calls him Paulette Maillet; in *Amer. State Papers, Public Lands*, his name is given as Jean Bte. Maillet; and Tassé is sure that his name was Jean Bte. Mallet. This last must be wrong, since Colonel Sargent, secretary of Governor St. Clair, writes it J. Bte. Mayet, evidently a phonetic spelling. —Smith *St. Clair Papers*, 167. The following is possibly true. About 1778 he settled without authorization on the site of the present city of Peoria and soon became the prominent

said Chatel gave therefor to the said M. LaCroix this day aforesaid.

On the same day was granted to M. Jean Dumoulin[1] a writ of privileged seizure of all the peltries, other effects and house, accruing from the proceeds of the merchandise, which he advanced to the deceased Bte. Leduc. The said writ of seizure was addressed to M. Mailhet, commandant on the Illinois river.[2]

At the same Court Jacob Groot, American inhabitant, presented a note against John Sullivan by which he claims either thirty *minots* of corn or that he be paid the price that it is worth to-day.

Heard the said Sullivan, who acknowledged that he owed the thirty *minots* of corn; but said that he could not deliver it at present.

All considered the Court decided that the said Sullivan shall pay the said Groot, in the course of October next, the corn at the rate of seven *livres* ten *sols* the *minot*, which is at the present time its value and which amounts to the sum of two hundred and twenty-five *livres*, and that the payment shall be made either in money, lard, flour, corn or wheat at the current price of the month of October, and not in other commodities. In default of payment of this sum at the said time the effects of the said Sullivan shall be sold; and we condemn the said debtor to pay the costs.

J. B. H. LaCroix, Pres.

The Court adjourned to the first of May, 1786.

J. B. H. LaCroix, Pres.

trader there. From him the village was called the Ville de Maillet. He had relations with the Cahokia traders and the magistrates of that village regarded Peoria as being a dependency of their district and Mailhet as the commandant of the post. See pp. 389, 417. In Reynolds' time the tradition was preserved that he led a successful expedition against St. Joseph in 1778 as a retaliation on the British for their defeat of the Cahokia expedition of the previous year. This attack by the Cahokians occurred in 1780 and was inspired by Colonel de la Balme. If the tradition in regard to Mailhet is correct, he must have accompanied the Spanish and Cahokia expedition against the British post at the beginning of the next year. See *Introduction*, p. xcii. Mailhet appears to have extended his trading ventures as far as the Rocky Mountains. He was killed in 1801.—Reynolds, *Pioneer History*, 97; Tassé, *Les Canadiens de l'ouest*, i, 241 *et seq.*; *Amer. State Papers, Public Lands*, iii., 478.

a une Cour tenue extraordinairement Le 15 avril 1786.

M^rs jean B^te LaCroix, Presidant — francois Courier
jean B^te Dubuque — Charles ducharme

Entre FRANCOIS CAILHOLE commerceant de la rive espagnole demandeur Contre M^r JEAN DUMOULIN Negte aux Cahos deffendeur

Le demandeur requiere que le s^r dumoulin soit condamné a luy livrer vingt cinq sacs de Mahis.

Led^t dumoulin dit pour deffence quil lui a par compte et Convention promis une genisse quil offroit de luy donner Son mahis En luy Remetant ladite genisse Et quil luy en a deja remis deux minots.

parties ouies en leur demandes reponses, repliques Et Contredits La Cour ordonne que M^r demoulin Remetra au s^r Cailhole treize minots de Mahis a quoy faire il sera Contraint Sans delais Et condamnons Led^t S^r dumoulin aux depens Et frais.

a la meme cour le S^r dumoulin a produit un compte de la s^e de Cent livres p^r le salaire dun de Ses hommes que le s^r Cailhole a Engagé.

ouy le S^r Cailhole qui a repondû que led^t Engagé Navoit travaillé que huit jours quaubout desquels il lavoit quitté a raison de quarante livres par mois quil offroit de luy payer les dits huit jours Sur le pieds des quarante livres sur quoy parties ouyes Condamnons le s^r Cailhole a payer les huit journées sur le pieds Convenû Entreux de quarante livres par mois Et aux frais Et depens.

La Cour est ajournée au p^re de may 1786.

J B H LaCroix prs.dt

a une Cour du premier May 1786.

M^rs jean B^te LaCroix presidant — Philipe angel
antoine girardin — jean B^te dubuque
Charles ducharme — francois Courier

entre la veuve GEORGE BLAIN demanderesse contre LOUIS LECOMPTE defendeur.

La demanderesse dit que le deffendeur luy a Brulé un arpent

[1] The reason for the amount is not clear. Was the price of the heifer deducted? Or were twenty-five sacks equal to thirteen *minots*? The only reference to the capacity of a sack makes it contain two *minots*. See p. 205.

At a Court in special session, held April 15, 1786.

MM. Jean Bte. LaCroix, President. François Courier.
Jean Bte. Dubuque. Charles DuCharme.

François Caillot, trader of the Spanish bank, Defendant, *vs.* M. Jean Dumoulin merchant at Cahokia, Defendant.

The plaintiff asks that M. Dumoulin be condemned to deliver to him twenty-five sacks of corn.

The said Dumoulin says in defence that the plaintiff by account and agreement promised him a heifer, and that he offered to give him his corn, if he delivered the said heifer, and that he (the defendant) has already delivered two *minots* of it.

After the parties were heard in their prayers, answers, replies, and rejoinders, the Court decrees that M. Dumoulin shall deliver to M. Caillot thirteen *minots* of corn and he shall be constrained to do this without delay; and we condemn the said Dumoulin to pay the charges and costs.[1]

At the same Court M. Dumoulin produced an account for the sum of one hundred *livres* for the wages of one of his men whom M. Caillot engaged.

Heard M. Caillot, who answered that the said employé had worked only eight days at the rate of forty *livres* a month and that at the end of that time he had left him; that he offered to pay him on the scale of forty *livres*. The parties heard, we condemn M. Caillot to pay for the eight days' work at the scale of forty *livres* a month agreed between them, and to pay the costs and expense.

The Court adjourned to the first of May, 1786.

J. B. H. LaCroix, Pres.

At a Court, May 1, 1786.

MM. Jean Bte. LaCroix, President. Philippe Engel.
Antoine Girardin. Jean Bte. Dubuque.
Charles DuCharme. François Courier.

The widow George Blin, Plaintiff, *vs.* Louis Lecomte, Defendant.

The plaintiff says that the defendant burnt an *arpent*[2] of

[2] *Arpent*, as a French-Canadian linear measure, is equivalent to 180 feet.—Clapin, *Dict. Canadien-Français*.

de Closture En perches. quelle requiere quil ait a luy remetre la meme quantité de perche.

Le deffendeur dit quil a voulû entrer En arrangement avec la demanderesse et quelle na voulû entendre a aucun accommodement. Nous avons condamné Le S^r^ Le comte a livrer la meme quantité de perche quil a brule Recevable Et la demanderesse fera faire sa Closture a Ses frais et condamnons les parties a payer chacun la moitie des frais.

Entre HENRY BIRON demandeur contre MICHEL CHARTIER deffendeur

Le demandeur reclame une sie de long quil dit avoir preté au Nommé Charpentier Et que ce dernier partant pour la Nouvelle orleans luy dit quil avoit laissé la sie au S^r^ Chartier quil navoit qu'a la luy demander quil la luy remetroit ou quil la luy payeroit que luy demandeur la demandée aud^t^ Chartier dans le tems et quil luy dit quil ne la perdroit pas et quil lavoit que ces jours passé il a demandé de Nouvau la sie aud^t^ Chartier quil luy a repondu quil setoit mal arangé.

ouy led^t^ Chartier qui a dit quil navoit aucune connoissance que le s^r^ Biron luy En ait parlé quil ne sen souvient pas Et quil a payé la sie aud^t^ Charpentier Et quil ne pouvoit pas la payer deux fois.

La Cour leur ayant proposé sil acceptoit le sermant lun de lautre led^t^ chartier a defferé le Sermant au s^r^ Biron. sur quoy luy ayant fait faire serment sur les Saints Evangiles a dit et declaré quil a averty led^t^ Chartier au depart dud^t^ Charpentier Et quil a promis de luy payer la sie. sur quoy Condamnons led^t^ Chartier a la payer a demandeur la somme de quatre vingt livres En argent et aux frais qui seront avancés par le s^r^ Biron Et a luy rembourcés par led^t^ Chartier. Et a led^t^ Biron donné un mois de Credy au deffendeur.

J B H LaCroix prstd

La Cour est ajournée au premier juin 1786.

Labuxiere grefir.

rail fence and prays that he be compelled to deliver the same quantity of rails to her.

The defendant says that he wished to make an arrangement with the plaintiff and that she was unwilling to listen to any settlement. We condemned M. Lecomte to deliver the same quantity of acceptable rails that he burnt, and the plaintiff shall have her fence made at her own expense; and we condemn the parties each to pay half of the costs.

HENRY BIRON, Plaintiff, *vs.* MICHEL CHARTIER, Defendant.

The plaintiff claims a whip-saw which he says he lent the named Charpentier, and that the latter, when he set out for New Orleans, said to him that he had left the saw at M. Chartier's and that the plaintiff had only to ask the latter for it and he would return it or that he would pay him for it. The plaintiff says that he demanded it of the said Chartier at the time, and that the latter said to him that he would not lose it, that he had it; that a few days ago he asked for the saw again from the said Chartier and that the latter answered that he had made no clear bargain.

Heard the said Chartier, who said that he had no other knowledge than that M. Biron had spoken to him about it and that he did not remember about it; and that he paid the said Charpentier for the saw, and that he could not pay for it a second time.

The Court having asked them if one would accept the other's oath, the said Chartier tendered the oath to M. Biron. Thereupon having caused the latter to make oath on the Holy Gospels, he said and declared that he notified the said Chartier on the departure of the said Charpentier and that the latter promised to pay him for the saw. Whereupon we condemn the said Chartier to pay to the plaintiff the sum of eighty *livres* in money, and to pay the costs, which shall be advanced by M. Biron and reimbursed to him by the said Chartier; and we order the said Biron to give a month's credit to the defendant.

J. B. H. LaCroix, Pres.

The Court adjourned to the first of June, 1786.

Labuxiere, Clerk.

a une Cour du premier juin mil Sept cent quatre vingt Six.
M^rs Jean B^te LaCroix presidant. Charles ducharme
ant^e Girardin. f Courier
Magistrats

Le S^r Izaac Levy demandeur contre ANTOINE HARMAND dit SANS FACON absent defaillant faute de procureur pour luy.

Le dit S^r Levy presente une requete par laquelle il reclame la Somme de quatorize Cent livres suivant lobligation hypotequaire dud^t sans facon Echu depuis le mois de Novembre de Lannée derniere demandant que les Choses hypotequés soient vendues jusqua parfaite liquidation ou quil soit fait une Estimation des biens hypotequés p^r luy etre remis En payement. consistant En Sa maison, trois vaches dont deux avec leur vaux Et deux chevaux. surquoy vû la Creance Legitimes du S^r Levy Et le retard du s^r sans facon la cour a ordonné que les Choses hypotequés seront Estimés par arbitres et que le S^r Levy les prendra En payement au prix de Lestimation jusqua parfaite liquidation interest frais Et depens a cet Effet avons nommé henry Biron, B^te Dumay Et philipe Gervais arbitres pour estimer Les effets hypotequez, lesquels feront leur Estimation ce lundy Cinq de ce mois p^r etre Executée. Et condamnons led^t harmand aux depens qui seront avancez par led^t s^r Levy lesd^t jour Et an.

J B H LaCroix

a la meme Cour

Le S^r Izaac Levy demandeur contre ALEXIS THABAULT deffandeur.

Le demandeur requiere que le deffendeur soit Condamné a luy payer la Somme de quatre Cent vingt une livres En argent par Son Compte Courant Et aux depens Et frais.

ouy le deffendeur qui a dit quil y avoit baucoup darticle quil ignoroit sur quoy La Cour a requis que le S^r Levy feroit sermant Et affirmeroit son compte veritable a Linstant ayant levé la main droite sur les Saints Evangiles a juré et afirmé que son Compte Etoit sincere Et veritable. le tout considere la Cour a condamné et condamné led^t deffendeur a payer Sans delais a demandeur la Somme de quatre Cent vingt une livres

At a Court of the first of June, 1786.

MM. Jean Bte. LaCroix, President — Charles DuCharme.
Ant. Girardin — Fr. Courier.
Magistrates.

M. Isaac Levy, Plaintiff, *vs.* Antoine Harmand called Sanfaçon, absent and without an attorney to represent him.

The said M. Levy presents a petition by which he claims the sum of fourteen hundred *livres* according to the obligation assured by mortgage of the said Sansfaçon, due since the month of November of last year; and demands that the things mortgaged be sold up to the perfect liquidation, or that there be made an appraisement of the mortgaged property to be delivered to him in payment. These consist of his house, three cows, two of which have calves, and two horses. Whereupon in view of the legitimate claim of M. Levy and the delay of M. Sansfaçon, the Court decreed that the mortgaged property be appraised by arbitrators, and that M. Levy shall take them in payment at the price of the appraisement up to full liquidation of the debt, interest, costs and charges. For the purpose we have named Henry Biron, Bte. Dumay and Philippe Gervais as arbitrators to appraise the mortgaged effects, and these shall make their appraisement this Monday, the fifth of this month, in order that there may be execution; and we condemn the said Harmand to pay the costs, which shall be advanced by the said M. Levy this said day and year.

J. B. H. LaCroix.

At the same Court.

M. Isaac Levy, Plaintiff, *vs.* Alexis Tabeau, Defendant.

The plaintiff begs that the defendant be condemned to pay him the sum of four hundred and twenty-one *livres* in money according to his current account, and to pay the costs and charges.

Heard the defendant, who said that there were many items which he didn't know about. Whereupon the Court required that M. Levy should make oath and affirm his account as true. Now having raised his right hand he swore on the Holy Gospels

En argent p^r^ le montant dud^t^ Compte Courant et aux frais et depens qui seront avancés par le s^r^ levy Et a luy Rembourcez par le defendeur.

s^r^ al tabault a fait son billet ce dit jour accepté p^r^ le s^r^ Levy payable En Novembre prochain.

J B H LaCroix

a la meme Cour.

MICHEL CHARLEY demandeur contre ETIENNE ARDOUIN deffendeur

Le demandeur reclame contre le deffendeur la S^e^ de vingt livres ou un minot de Bled froment prix du Cour pour la bedauderie.

ouy le deffendeur qui a alegue quil ne payeroit pas par ce quil ny avoit pas un an Et un jour quil avoit une maison sur quoy la Cour a condamné led^t^ ardouin a payer Sans delais aud^t^ Charly la somme de vingt livres Et aux frais Et depens qui seront avancés par led^t^ Charly, les vingts livres seront payez Sous trois mois De ce jour.

J B H LaCroix

a la meme Cour.

le S^r^ JEAN B^te^ TUSSON demandeur contre Le S^r^ ANDRE BELLE deffendeur et defaillant aprés avoir Eté assigné.

Le demandeur a produit un Billet a ordre Echu a luy dub Et passé a Son ordre par m^r^ Clamorgan, de la Somme de onze cent livres En argent payable En pelterie sur lequel il y a deux recû montant Ensemble a la somme de Cent soixante huit livres En argent partant reste sur led^t^ billet neuf cent trente deux livres, dub par led^t^ s^r^ Bayles. concluant le demandeur a ce que ledit

[1] Note in margin by the clerk.

[2] The beadle was a subordinate church official and was paid, judging from this case and a similar one on page 279, by fees levied on each inhabited house.

[3] Jacques Clamorgan was a resident of St. Louis and was, as long as he lived, conspicuous for his enterprise, if not always praised for his methods. In 1788 he appears to have fallen into financial difficulties, at least, his creditors claimed that he left the country for Louisville without paying his debts;— *Dr. Col.*, 2M43 and 1N68. According to the same witnesses, he showed a dislike to the Americans. His name is particularly connected with the fur trade, in which his boldness and enterprise made him the leader of his time. His was the leading spirit in the first Missouri Fur Company, which was organized May 12, 1794. One of the objects of this company was to explore the upper Missouri. To assist in carrying out this purpose the king promised a subsidy of $10,000 and a reward of $3,000 to the first person to reach the Pacific Ocean. Although the royal promise was not

and affirmed that his account was true and genuine. All considered the Court has condemned and does condemn the said defendant to pay without delay to the plaintiff the sum of four hundred and twenty-one *livres* in money according to the amount of the said current account; and to pay the costs and expenses which shall be advanced by M. Levy and reimbursed to him by the defendant.

J. B. H. LaCroix.

M. Al. Tabeau made his note this said day which was accepted by M. Levy and is payable November next.[1]

At the same Court.

MICHEL CHARLY, Plaintiff, *vs.* ETIENNE HARDOUIN, Defendant.

The plaintiff claims from the defendant the sum of twenty *livres* or a *minot* of wheat at the current price for the beadlery.[2]

Heard the defendant, who pleaded that he should not pay, because he had not had his house a year and a day. Whereupon the Court condemned the said Hardouin to pay without delay to the said Charly the sum of twenty *livres* and to pay the costs and charges, which shall be advanced by the said Charly. The twenty *livres* shall be paid within three months from this day.

J. B. H. LaCroix.

At the same Court.

M. JEAN BTE. TUSSON, Plaintiff, *vs.* M. ANDRE BAYLES, Defendant, and not appearing after being summoned.

The plaintiff produced a note to order, due him and matured, and assigned to his order by M. Clamorgan,[3] for the sum of eleven hundred *livres* in money payable in peltries, on which there are two receipts amounting to the sum of one hundred and sixty-eight *livres* in cash and leaving a balance on the said note of nine hundred and thirty-two *livres* due by the said M. Bayles; and the plaintiff concludes that the said M. Bayles should be condemned to pay him without delay the said sum of nine hundred and thirty-

performed, Clamorgan, with his associates, entered upon the enterprise. Later Clamorgan petitioned for and obtained a large grant of land as a compensation for his losses.—*Amer. State Papers, Pub. Lands*, iii., 303 *et seq.*; Houck, *Boundaries of the Louisiana Purchase*, 59 *et seq.* He was living when Louisiana was transferred to the United States and was one of the first judges of the new Court of Quarter Sessions, Dillon, *Annals of St. Louis*, ii., 9.

s^r Bayle soit condamné a luy payer sans delais ladite somme de Neuf cent trente deux livres avec Les interest frais et depens. sur quoy le deffendeur nayant point parû ny procureur pour luy Et aprés que ladite Cour a fait apeler par lhuissier led^t S^r Belle par trois Cris differants a la porte de Laudience et quil na point parû ny personne pour luy. la Cour a Condamné Et condamné led^t s^r Belle a payer aud^t S^r tusson ou au porteur du billet la somme de Neuf cent trente deux livres pour restant diceluy suivant les conditions du susdit billet avec les interest frais et depens. lesquels frais seront avancés par le s^r tusson Et a luy remboursez par le deffendeur ce qui sera executé lesd^t jour Et an.

J B H LaCroix.

La Cour est ajournée au Six de ce mois p^r proceder a une Nouvelle Election de magistrats.

Labuxiere greff J B H LaCroix

a une Cour du Six juin 1786.

Le S^r jean B^te LaCroix antoine girardin Louis Chatel, Louis trotier, mathieu saucier joseph Lapensée, Et Clement alary ayant Eté Nommé par la Nouvelle Election sont Comparus Et aprés avoir prêté sermant de fidelité ainsy que celui doffice ont pris leurs place En leurs qualitéz du Magistrats.

a la meme Cour

F^r Courier demandeur contre Le S^r Billet dit Bausoleil deffendeur

Le demandeur reclame trois cent Cinquante Cinq livres contre le deffendeur quil luy doit p^r restant du payement dune paire de Boeuf quil luy a vendû Et quil devoit luy payer comptant ce quil na fait jusqua ce jour concluant a ce quil ait a le payer sans delais et aux frais Et depens.

le deffendeur a reconnû ladite debte Et offre de payer.

La Cour a Condanné le deffendeur a payer sous huit jours Et aux frais qui seront avancés par le S^r Courier Et a luy rembourcer par le deffendeur.

a la meme jour B^te durbois a presente une requete expositive que le s^r harmand luy doit neuf minots de Bled froment p^r sa

two *livres* with interest, costs and charges. Whereupon, since neither the defendant nor an attorney for him appeared and after the said Court caused the said M. Bayles to be called by the *huissier* by three different shouts at the door of the audience chamber and he did not appear or anyone for him, the Court has condemned and does condemn the said M. Bayles to pay the said M. Tusson, or bearer of the note, the sum of nine hundred and thirty-two *livres* for the balance of it according to the conditions of the note aforesaid with the interest, costs and expenses; which costs shall be advanced by M. Tusson and reimbursed to him by the defendant, for which there will be execution this said day and year.

J. B. H. LaCroix.

The Court adjourned to the sixth of this month to proceed to a new election of magistrates.

Labuxiere, Clerk. J. B. H. LaCroix.

At a Court, June 6, 1786.

The MM. Jean Bte. Lacroix, Antoine Girardin, Louis Chatel, Louis Trottier, Matthieu Saucier, Joseph Lapancé and Clement Alarie, having been named by the new election, appeared, and after taking oath of fidelity and also that of office, took their places as magistrates.

At the same Court.

Fr. Courier, Plaintiff, *vs.* M. Billet called Beausoleil, Defendant.

The plaintiff claims three hundred and fifty-five *livres* from the defendant, which he owes him for the balance of the payment for a yoke of oxen which the plaintiff sold him, and for which the latter ought to pay cash, which he has not done up to the present day; and concludes that the defendant should pay him without delay and also the costs and expenses.

The defendant acknowledged the said debt and offers to pay.

The Court condemned the defendant to pay within a week and also the costs which shall be advanced by M. Courier and reimbursed to him by the defendant.

On the same day Bte. Dubois presented an explanatory peti-

recolte de 1784. ce qui a Eté prouvé par la declaration du S^r^ Courier, la Cour a recû led^t^ durbois intervenant dans les ventes des Biens dud^t^ harmand p^r^ le payement des Neuf minots de bled Evaluez a 20 lb le minot la s^e^ de 180^lb^ Et condamnons sans facon aux frais.

La Cour est ajournée au p^r^ juillet 1786.

Labuxiere grefier. J B H LaCroix pr. s. d.

a la meme Cour il a Eté decidé que vû la demande des Creanciers du s^r^ antoine harmand absent pour le payement de ce quil leur doit quinvantoire Sera fait devant un magistrats de tous Les Biens meubles Et immeubles dud^t^ harmand et questimation En sera faite par jean B^te^ dubuc, charle ducharme ,Et francois Courier p^r^ le huit de ce mois a huit heures du matin.

J B H LaCroix

a une Cour assemblée le 12 juin 1786.

M^rs^ LaCroix presidant — Clement alary

Mathieu saucier — joseph Lapensée

Louis trotier

Les creanciers dantoine harmand dit Sans facon presentent une requete demandant quen vertu de linvantoire quils ont fait faire des Biens dud^t^ harmant que la vente des dits Biens En soit faite le plus promptement que faire se poura p^r^ en Empecher le deperissement Et quil soit donne terme sufisant p^r^ que lesd^t^ effets puissent se vendre avantageusement tant p^r^ Leurs interest que celuy dud^t^ harmand.

La Cour ordonne que la vente des biens dud^t^ harmand quant aux meubles Se Fera le lundy dixneuf du Courant et quil Sera donné Credy jusques et compris le mois doctobre prochain sous bonne Et Sure caution qui Seront recue par les Creanciers Et quand au regard de la maison et ses dependances elle Sera Criee de mois en mois pendant trois mois Consecutif a la porte de lEglise jour de dimanche Et adjugée a la troisieme Criée avec le Credy jusques au mois davril de Lannée prochaine 1787 Sous

[1] The *huissier* held the auction each Sunday to receive bids, but only on the last Sunday was the property sold.

tion, in which he says that M. Harmand owes him nine *minots* of wheat from his harvest of 1784, which was proved by the affidavit of M. Courier. The Court admitted the said Dubois as a party to the sale of the goods of the said Harmand for the payment of nine *minots* of wheat, valued at 20 *livres* the *minot*, amounting to the sum of 180 *livres*; and we condemn Sansfaçon to pay the costs.

The Court adjourned to the first of July, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At the same Court it was decided that, in view of the demand of the creditors of M. Antoine Harmand, who is absent, for the payment of what he owes them, an inventory of all the property, real and personal, of M. Harmand shall be made before a magistrate, and the appraisal thereof shall be made by Jean Bte. Dubuque, Charles DuCharme and François Courier on the eighth of this month at eight o'clock in the morning.

J. B. H. LaCroix.

At a Court assembled June 12, 1786.

MM. LaCroix, President. Clement Alarie.

Matthieu Saucier. Joseph Lapancé.

Louis Trottier.

The creditors of Antoine Harmand called Sansfaçon present a petition praying that, in virtue of the inventory of the goods of the said Harmand which they have had made, the sale of the said goods be held as promptly as possible in order to prevent them perishing; and that there be given a sufficient time in order that the said effects may be sold to the advantage as well of their interests as of those of the said Harmand.

The Court decreed that the sale of the personal property shall take place Monday, the nineteenth of the present month; and that there shall be given credit with good and safe surety, which will be accepted by the creditors, up to and including the month of next October; and that the sale of the house and its appurtenances shall be cried month by month during three consecutive months on Sundays at the door of the church, and adjudged at the third proclamation,[1] and credit with good and sufficient surety will be given till the month of April of the next year, 1787.

bonne Et suffisante Caution. laquelle maison ne Sera vendue toutes fois que au Cas que les meubles ne suffisent pas pour payer Lesdits Creanciers et les affiches posées prealablement afin que personne ne lignore donné par la Cour lesd[t] jour et an.

Labuxiere J. B. H. LaCroix.

a une Cour du 1[er] juillet 1786

M[r] LaCroix presidant joseph Lapensée
girardin Chatel
conseiller magistrats

Michel antaya a fait sermant de fidelité Et En meme temp sermant dofice En qualité de Bailly.

a La meme Cour

Jacques Lardoise demandeur contre Gabriel Baron deffendeur

Le demandeur Reclame deux cent Cinquante livres en argent pour le payement dun Cheval quil a vendû au deffendeur depuis Lauthomne derniere laquelle somme il devoit payer au s[r] Cadien Et quil na point payé Et quil a payé luy meme a mad[e] Cadien Et aux depens.

ouy le deffendeur qui a alegué quil offroit de luy remetre un Cheval et quil n'avoit pas dautre argent pour le present Et quil Navoit acheté le Cheval que quarante piastre ce qui a Eté reconnû par le demandeur.

sur quoy la Cour ayant murement deliberé ordonne que le deffendeur Rendra au demandeur le meme Cheval aux conditions quil ne sera point extropié Et quil naura aucun mal, ou quil le payera Les quarante piastres prix de La vente Convenues Entreux condamnons le deffendeur aux frais que nous avons liquidé a quinze livres. ce qui sera executé.

La Cour est ajournée au l[er] juillet 1786.

Labuxiere grefier J B H LaCroix pr S.

But the house shall be sold only in case the personal property is not sufficient to pay the said creditors and placards have been posted previously so that no one is ignorant thereof. Given by the Court this said day and year.

Labuxiere. J. B. H. LaCroix.

At a Court, July 1, 1786.

MM. LaCroix, President. Chatel.
Girardin. Joseph Lapancé.
Councilors and magistrates.

Michel Antaya made oath of fidelity and at the same time that of office as bailiff.

At the same Court.

Jacques Lardoise, Plaintiff, *vs.* Gabriel Baron, Defendant.

The plaintiff claims two hundred and fifty *livres* in money for the payment of a horse which he sold the defendant last autumn, which sum he was to pay M. Cadien and has not paid; the plaintiff says that he himself paid Madame Cadien, and he demands costs.

Heard the defendant, who pleaded that he offered to deliver a horse to the plaintiff and that he had no money at present; that he had bought the horse for only forty *piastres*, which was acknowledged by the plaintiff.

Whereupon the Court after careful deliberation decrees that the defendant shall render to the plaintiff the same horse, on condition that it shall not be maimed or sick or that he shall pay for it the forty *piastres*, the price of the sale agreed upon between them. We condemn the defendant to pay the costs, which we have set at fifteen *livres*, for which there will be execution.

The Court adjourned to July 1, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

a une Cour tenue Extraordinairement le 13 juillet 1786.

M^rs jean B^te LaCroix presidant — Louis Chatel
ant^e girardin — joseph Lapensée
magistrates

Entre LOUIS MARCHAND demandeur contre LAURANT HAMELIN deffendeur

Le demandeur demande au deffendeur Cinq Chevaux quil luy retient Et deux cent trente deux livres En pelterie par son compte quil a afirmé devant La Cour.

Le deffendeur dit quil est convenû au pé de luy donner quarante pot de taffia pour un Cheval. mais que led^t marchand na pas voulû les prendre Et quil luy a offert un Cheval.

le demandeur replique au Contraire que le deffendeur luy a refusé les quarante pots de taffia Et quil a traite des Chevaux avec Et quant au compte produit par le demandeur Le deffendeur dit quil n'en a point de Connoissance sur les contestations cy dessus le demandeur a produit le Nommé laCouture p^r temoins lequel aprés sermant par luy fait devant la Cour a dit quil avoit connoissance que les quarante pots de tafia navoit pas Eté livré par led^t hamelin aud^t marchand, Et quil avoit connoissance qu'ne partie du memoire produit avoir Eté fourni par led^t marchand aud^t amelin Et quil avoit Connoissance quil avoit recû un Cheval dont il S'Etoit Servy lhiver dernier.

Le demandeur a produit Claude paneton segond temoin lequel aprés sermant par luy fait a dit quil avoit connoissance que led^t marchand Etoit Engage au s^r duchenaud p^r aler de la mauvaise terre aux pé p^r 60^lb Et que led^t hamelin la Envoyé Chercher p^r aler p^r luy et quil a fait deux voyage p^r led^t hamelin. sur quoy la Cour ayant murement reflechi a renvoyé les parties hors de Cour Et de procés, depens compensés cest a dire chacun par moitié ce qui sera executé la dite Sentence Rendue par accord Entre les parties.

Labuxiere grefier — J B H LaCroix pr Sd.

[1] Mauvaise Terre is the name of a stream in Scott and Morgan counties, Illinois.

At a Court sitting in special session, July 13, 1786.
MM. Jean Bte. LaCroix, President. Louis Chatel.
Ant. Girardin. Joseph Lapancé.
Magistrates.

Louis Marchand, Plaintiff, *vs.* Laurent Hamelin, Defendant.

The plaintiff demands of the defendant five horses which the latter is retaining and two hundred and thirty-two *livres* in peltries, according to his account, which he affirmed before the Court.

The defendant says that he agreed at Peoria to give him forty jugs of tafia for a horse; but that the said Marchand was unwilling to take them and that he offered him a horse.

The plaintiff rejoins that the defendant refused him the forty jugs of tafia and that he traded horses with [him]. As to the account produced by the plaintiff, the defendant says that he had no knowledge about the contestations. Hereupon the plaintiff brought forward the named Lacouture for a witness, who, after he had taken the oath before the Court, said that he knew that the forty jugs of tafia had not been delivered by the said Hamelin to the said Marchand; and that he knew that one part of the bill produced had been furnished by the said Marchand to the said Hamelin; and that he knew that the latter had received a horse which he had used last winter.

The plaintiff produced Claude Paneton as second witness, who, after he had made oath, said that he knew that the said Marchand was pledged to M. Duchenaud to go from the Mauvaise Terre[1] to Peoria for 60 *livres*, and that the said Hamelin summoned Marchand to go for him, and that the former made two journeys for the said Hamelin.

Whereupon the Court, having carefully reflected, non-suited the parties, and the costs are to be divided, that is to say, each one half, for which there will be execution. The said judgment was rendered by agreement between the parties.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

a une Cour du premier aoust 1786. Siegeant

M^rs jean B^te LaCroix Presidant — Louis trotier
antoine Girardin — Mathieu Saucier
Louis Chatel — Con^er magistrats

Entre LOUIS PILLET demandeur contre CLEMENT ALARY deffendeur

Le demandeur reclame un Boeuf a luy apartenant qui a passé par la Closture du deffendeur Et a Eté Sempaler Sur les pieux de la Closture du s^r LaCroix requerant quil luy soit rendû un Boeuf de la meme valeur Et condamner le deffendeur aux depens.

ouy le deffendeur qui a dit pour deffences que Lon ne devoit pas tuer le Boeuf que lon devoit atendre son retour de Chasse quil Lauroit Guery, que puisqu'on lavoit tué Et vendû la viande il demandoit a Etre dechargé du Boeuf Et condamner sa partie aux frais.

Vû le marché consenty par led^t Clement alary avec les marguiliers de la fabrique de cette paroisse par lequel led^t Clement alary nest obligé qu'aux reparations du dedans de la maison qui a Eté louée pour servir de presbitaire Et a deffaud par les marguiliers de Navoir point fait reparer les Clostures Nous avons decidé que la fabrique rendra un pareil Boeuf au demandeur ou En payera la valeur au prix destimation et les marguiliers se feront rendre compte de la viande ou produit dicelle pour En Compter au profit de L Eglise ce qui sera execute condamnons la fabrique aux frais.

a la meme Cour.

JOSEPH VAUDRY demandeur contre GABRIEL BARON deffendeur

Le Demandeur a presente une requete par laquelle il reclame sa petite fille quil a mis Entre les mains du deffendeur disant quelle netoit pas traitee Selon les Convention de leur marche au Contraire quelle etoit traitee pis quune esclave requerant que led^t Baron soit Condamné a la luy remetre.

ouy le deffendeur qui a denié tout ce qui est porté En ladite requete demandant que le demandeur soit tenû a luy fournir des preuves. sur quoy la Cour a ordonné que led^t vaudry founira

At a session of Court, August 1, 1786.

MM. Jean Bte. LaCroix, President. Louis Trottier.
Antoine Girardin. Matthieu Saucier.
Louis Chatel. Councilors and Magistrates.

Louis Pillet, Plaintiff, *vs.* Clement Alarie, Defendant.

The plaintiff claims an ox belonging to him, which passed through the defendant's fence and was impaled on the pickets of M. LaCroix's fence, and prays that there be rendered an ox of the same value and that the defendant be condemned to pay the costs.

Heard the defendant, who said in defence that they should not have killed the ox; that they should have waited his return from the hunt and that he would have cured it; that, since they had killed it and sold the meat, he prayed that he be discharged from payment for the ox and that his opponent be condemned to pay the costs.

In view of the bargain made by the said Clement Alarie with the church-wardens of the vestry-board of this parish, according to the terms of which the said Clement Alarie was only bound to repair the interior of the house, which was rented to serve for a parsonage, and of the fault of the church-wardens in not having had the fence repaired, we have decided that the vestry-board shall render a similar ox to the plaintiff, or shall pay the value thereof at an appraised price; and that the church-wardens shall have rendered to them an account of the meat or proceeds therefrom, in order to account for it in the profits of the church, for which there will be execution. We condemn the vestry-board to pay the costs.

At the same Court.

Joseph Vaudry, Plaintiff, *vs* Gabriel Baron, Defendant.

The plaintiff presented a petition by which he reclaims his little daughter, whom he placed in the hands of the defendant, saying that she was not treated according to the terms of their agreement; but on the contrary she was treated worse than a slave; and he prays that the said Baron be condemned to render her to him.

Heard the defendant, who denied all that is contained in the said petition, and demands that the plaintiff be held to furnish him proofs. Whereupon the Court ordered that the said Vaudry shall

preuves suffisantes. et a linstant led^{t} vaudry a fait assigner par ordre de cette Cour, mathieu saucier, Et antoine Lamarche pour temoins, Et a linstant le S^{r} B^{te} saucier est comparû lequel aprés sermant par luy fait a dit seulement quil avoit Entendu jurer apres lenfant Et la gronder, mais quil ne lavoit pas vûe batre qui est tout ce quil a dit savoir. led^{t} lamarche Nayant point parû par absence avons renvoyé lafaire a plus Emple information devant un magistra de la Cour qui fera droit a qui il apartiendra.

La Cour est adjournée au 1er 7^{bre} 1786.

Labuxiere greffier J B H LaCroix pr Sd.

a la Cour de ce dit jour 1er aoust 1786.

En continuant la Cause ci dessus est comparû antoine Lamarche lequel aprés sermant par luy fait sur les Saints Evangilles a dit sur les demandes a luy faites par la Cour quil navoit autre connoissance si non quil avoit vû foueter la petite fille mais quil Croyoit quelle l'avoit merité et tant qu'aux autres motif de mauvais traitements defaud dhabillements ou de Nouriture quil nen avoit pas de Connoissance. sur quoy parties ouyes Le tout examine la Cour a ordonné Et decidé que le s^{r} gabriel Baron Rendra la petite fille au s^{r} vaudry son pere avec ses petites hardes a son usage. Sans aucune repetition de la part dud^{t} s^{r} Baron Enver led^{t} s^{r} vaudry de penssion ny Entretien Condamnons le s^{r} vaudry aux frais par forme de des domagement Enver le s^{r} macarty ce qui sera executé lesd^{t} jour Et an.

J B H LaCroix pr Sidant.

a une Cour du premier Septembre 1786.

M^{rs} jean B^{te} LaCroix presidant Mathieu Saucier

antoine Girardin joseph Lapensée

Entre Louis Laperche demandeur contre Le S^{r} Motard deffendeur

Le deffendeur [*sic*] expose quil luy est dub par le s^{r} motar la Somme de trois cent Cinquante livres En pelterie pour ses gages

[1] The only explanation possible for this decision is that Gabriel Baron was named Gabriel McCarty called Baron or *vice versa*, unless we assume that the clerk made a slip. I know no other authority for the coupling of the two names.

furnish sufficient proofs. And now the said Vaudry caused to be summoned by order of this Court Matthieu Saucier and Antoine Lamarche as witnesses. Now appeared M. Bte. Saucier, who, after making oath, only said that he had heard them swear at the child and scold her, but that he had not seen her beaten; and this is all that he said he knew. The said Lamarche not having appeared on account of absence, we continued the cause for fuller information before a magistrate of the Court, who will render justice to whom it shall belong.

The Court adjourned to September 1, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At the Court of this said day, August 1, 1786.

At the continuance of the above cause there appeared Antoine Lamarche, who, after making oath on the Holy Gospels, answered to the questions made him by the Court that he had no other knowledge except that he had seen the little girl whipped, but said he believed that she deserved it; and as to the other counts of bad treatment, lack of clothing and nourishment, he said that he had no knowledge thereof. Whereupon, after the parties were heard and all examined, the Court decreed and decided that M. Gabriel Baron shall render the little girl to M. Vaudry, her father, with her little clothing for her use, without the right of any action for recovery on the part of the said M. Baron against the said M. Vaudry for board and maintenance. We condemn M. Vaudry to pay the costs by way of damages to M. Macarty,[1] for which there will be execution this said day and year.

J. B. H. LaCroix, Pres.

At a Court, September 1, 1786.

MM. Jean Bte. LaCroix, President. Matthieu Saucier.
Antoine Girardin. Joseph Lapancé.

Louis Laperche, Plaintiff, *vs.* M. Motard, Defendant.

The plaintiff sets forth that there is due him by M. Motard the sum of three hundred and fifty *livres* in peltries for wages for going to the Republic on the service of M. Trudeau according to his pledge made to M. Motard, dated August 3, 1785; and that he had not been able to go thither on account of the war of the

daler a la republique p^r le service du s^r trudeaux suivant son Engagement fait au s^r motar En datte du 3. aout 1785. Et que comme nayant pas pû fi [*sic*] Rendre par la guerre de la republique avec les Shaus ce qui les avoit obligé de relacher nayant point de vivre p^r subsister pendant lhiver suivant deux Certifficat quil a produit.

ouy le s^r motar En Ses deffences qui a dit que le s^r s^t jean devoit hyverner p^r atendre le S^r trudeaux ou aler le rejoindre de Bonprintems quil lavoit Engage a Ses Conditions mais quil navoit pas voulû atendre quoy quil eu des marchandises p^r vivres suffisament Mais que de Son Chif il avoit redescendû Et abandonné les interest du S^r trudeau ayant produit un Certifficat a ce sujet du S^r Rivet.

Veu lengagement dud^t S^t jean les deux Certifficats des Nommés Rivet Et deschamp le tout produit par le demandeur. Et autre Certifficats donné par led^t Rivet aud^t deffendeur, le tout examiné; la Cour a Condamné Et condamne le s^r motard a payer aud^t S^t jean la moitié de Ses gages montant a cent soixante quinze livres en pelterie Et aux depens ce qui sera executé lesd^t jour Et an.

La Cour est ajournée au 1^er 8^bre 1786.

Labuxiere grefier J B H LaCroix pr Sdt.

a une Cour tenue Extraordinairement le douze Septembre mil sept cent quatre vingt Six.

M^rs jean B^te LaCroix presidant — Clement alary
antoine girardin — joseph Lapensée
Louis chatel — Louis trotier
Mathieu saucier — magistrats

Entre M^r ANTOINE REILHE demandeur contre Le S^r SAMUEL TODD deffendeur

Le demandeur a presenté une requete expositive que le S^r tood la fait venir icy aux cahos pour terminer une affaire quil avoit avec M^de veuve Caimps par arbitres quen Concequance il a Emmené Ses arbitres comme procureur de ladite dame veuve Camps. que led^t S^r tood Etant aussi arrive avec Ses arbitres lors

[1] The name looks like Kans, but it may be, as given, Shaws. The Shawnees were on the warpath during the winter 1785-1786.

[2] The full name of the plaintiff was Louis Laperche called St. Jean.

Republic with the Shawnees,[1] which obliged them to give up, since they did not have provisions for subsistance through the winter, according to two certificates which he produced.

Heard M. Motard in his defence, who said that M. St. Jean[2] should have wintered in order to await M. Trudeau or to go and join him in the spring, and that he had engaged him on these conditions; but that he had not been willing to wait, although he had merchandise for sufficient provisions; but that of his own accord he had redescended and abandoned the interests of M. Trudeau; and the defendant produced two certificates of M. Rivet on the subject.

Considering the agreement of the said St. Jean, the two certificates of the named Rivet and Deschamp, all produced by the plaintiff, and other certificates given by the said Rivet to the said defendant, after all were examined, the Court has condemend and does condemn M. Motard to pay to the said St. Jean half of his wages, amounting to one hundred and seventy-five *livres* in peltries and to pay the costs for which there will be execution the said day and year.

The Court adjourned to October 1, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court sitting in special session, September 12, 1786.

MM. Jean Bte. LaCroix, President. Clement Alarie.
Antoine Girardin. Joseph Lapancé
Louis Chatel. Louis Trottier.
Matthieu Saucier. Magistrates.

M. Antoine Reilhe,[3] Plaintiff, *vs.* M. Samuel Todd,[4] Defendant.

Plaintiff presented an explanatory petition, in which he says that M. Todd made him come here to Cahokia to terminate by arbitrators a cause which M. Todd had with Madame Camp, widow, and that consequently he brought his arbitrators as attorney for the said Madame Camp, widow; and that the said M. Todd, when he arrived also with his arbitrators and it was

[3] Reihle was from St. Louis.

[4] Samuel Todd was a Canadian merchant.

quil a Eté question de produire ces pieces led^t S^r tood a refusé quil demandoit que led^t tood ait a les produire ou quil soit deboute de toutes demandes Enver ledite dame Camps Et Condamné aux frais Et depens.

ouy le S^r tood qui a dit quil ataquoit personnelement led^t S^r Reyn Et a produit a la Cour un billet dub par le S^r guillon fils de douze Cent Cinq livres de Castor pezant Cautionne par deffunt Le s^r Camp En datte du 23 7^bre 1785 Sans En demander le payement.

Sur quoy la Cour luy ayant demandé Sil vouloit faire decider lafaire presentement Sur cette Rive ou ailleur, quil Etoit libre de la faire decider par les quatre arbitrés quil Etoit convenû avec M^r Reilh, ou des jurés.

a quoy led^t S^r tood a repondû quil laissoit laffaire la, quant a present Et quil la fairoit decider dans un autre temp quil Navoit affaire qua M^r Reilhe.

Sur quoy le S^r tood Setant conforme a lordre de La Cour au bas de la requete du s^r Reilhe En datte de ce jour Et a la demande du s^r Reilhe, la Cour Condamné le s^r Reilhe En tous les frais Et depens de lextraordinaire donné aux Cahos la Cour sente [*sic*] led^t jour douze Septembre mil Sept cent quatre vingt six.

Labuxiere grefier J B H LaCroix prSdt.

a une Cour du 2 8^bre 1786.

M^rs jean B^te LaCroix presidant — Louis Chatel
antoine girardin — Mathieu saucier
Louis trotier — Clement alary
Conseillers

PHILIPE ENGEL demandeur contre M^r DORSEY PENTECOSTE[2] representé par M^r JEAN B^te LACROIX deffendeur

Le demandeur demande au deffendeur quil soit tenu a faire la mitoyenne En pieux de Bout des terrains Entre led^t S^r Pentecoste Et led^t S^r angel Le S^r LaCroix a repondû quil offroit de faire ladite mitoyenne pour vû toutes fois que la Cour lordonne afin quil luy en soit tenû Compte par led^t S^r Pentecoste. sur quoy

[2] For Dorsey Pentecoste, see p. 581.

a question of producing these documents, refused; and he prayed that the said Todd be compelled to produce them or that he be denied all his prayers against the said Madame Camps and be condemned to pay the costs and expenses.

Heard M. Todd who said that he brought action personally against the said M. Reilhe and produced in Court a note due by M. Guillon jr. for twelve hundred and five pounds weight of beaver guaranteed by the deceased M. Camp under date of September 23, 1785, without demanding the payment therefor.

Whereupon the Court asked him if he wished to have the cause decided now on this bank or elsewhere, saying that he was free to have it decided by the four arbitrators, as was agreed with M. Reilhe, or by jurors.

To which the said M. Todd answered that he would abandon it for the present and have it decided at another time, that he had only an affair with M. Reilhe.

Whereupon M. Todd having conformed to the order of the Court written below the petition of M. Reilhe, under date of this day and to the prayer of M. Reilhe, the Court condemned M. Reilhe to pay all the costs and charges of the special session. Given at Cahokia at the session of the Court the said day, the the twelfth day of September, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court, October 2, 1786.

MM. Jean Bte. LaCroix, President. Louis Chatel.
Antoine Girardin. Matthieu Saucier.
Louis Trottier. Clement Alarie.
Councilors.

Philippe Engel, Plaintiff, *vs* M. Dorsey Pentecoste,[1] represented by M. Jean Bte. LaCroix, Defendant.

The plaintiff demands of the defendant that he be held to build the party fence of pointed stakes between the lands of the said M. Pentecoste and the said M. Engel. M. LaCroix answered that he offered to build the party fence, provided, however, that the Court command it, in order that there may be rendered to him account thereof by the said M. Pentecoste. Whereupon the

la Cour ordonne au S^r LaCroix de faire ladite moyenne En pieux de bout bonne Et recevable dont il se fera Rembourcer par led^t S^r pentecoste condamnons le S^r LaCroix aux frais.

at Girardin

La Cour est ajournée au deux de Novembre prochain.

Labuxiere grefier J B H LaCroix pr sdt.

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passé par Erreur et par inadertance [*sic*].

a une cour du 2. 9^bre 1786.

M^rs jean B^te LaCroix presidant — Louis trotier
antoine girardin — Louis chatel
Mat. saucier — Clement alary
joseph Lapensée

Le Sr izaac Levy demandeur contre jean B^te Baron deffendeur

Le S^r Levy a produit un compte a la Charge du deffendeur de la Somme de trois cent soixante livres en argent p^r fournitures faites aud^t baron Lequel compte le deffendeur na pas voulû aprouver En plusieurs articles et demande quil soit detaillé depuis le commencement jusqua la fin. Sur quoy la Cour a ordonné que le s^r Levy fournira au deffendeur son compte detaillé art. par art. avec les dattes Et avoir quil aura Recû p^r etre disente ou aprouvé par le deffendeur Et En Etre ordoné dévant un magistrat de la Cour a quil apartiendra depens reservé jusqua la deffinition de leurs comptes.

La Cour est ajournée au 1^er decembre 1786.

Labuxiere grefier J B H LaCroix pr Sdt.

a une Cour tenue du 1^er decembre 1786.

M^rs jean B^te LaCroix presidant — Louis Chatel
antoine girardin — joseph Lapensée
Mathieu saucier

Mr joseph Labuxiere demandeur contre jean B^te dumay deffendeur

Le demandeur a presenté un billet contre led^t dumay par lequel il demande p^r restant quarante Cinq livres en argent ou

Court ordered M. LaCroix to build the said party fence of pointed stakes, good and acceptable, for which he shall cause himself to be reimbursed by the said M. Pentecoste. We condemn M. LaCroix to the costs. At. Girardin.

The Court adjourned to the second of November next.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

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Passed by error and inadvertence.

At a Court, November, 2, 1786.

MM. Jean Bte. LaCroix, President. Louis Trottier.
Antoine Girardin. Louis Chatel.
Mat. Saucier. Clement Alarie.
Joseph Lapancé.

M. Isaac Levy, Plaintiff, *vs* Jean Bte. Baron, Defendant.

M. Levy produced an account due from the defendant for the sum of three hundred and sixty *livres* in money for supplies made to the said Baron. Several articles of this account the defendant has been unwilling to approve and demands that it be itemized from beginning to end.

Whereupon the Court decreed that M. Levy shall furnish the defendant his account itemized article by article with the dates and credit which he shall have received, to be disapproved or approved by the defendant, and a decree for the payment thereof to whomsoever it belongs will be made before a magistrate of the Court; the expense being reserved until the final decision in regard to their accounts.

The Court adjourned to December 1, 1786.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court held December 1, 1786.

MM. Jean Bte. LaCroix, President. Louis Chatel.
Antoine Girardin. Joseph Lapancé.
Matthieu Saucier

M. Joseph La Curie, Plaintiff, *vs.* Jean Bte. Dumay, Defendant

The plaintiff presented a note against the said Dumay on which he demands as balance forty-five *livres* in money or flour, and

farine Echû. le deffendeur a dit navoir point dargent p^r payer qui est tout ce que les parties ont dit.

La Cour a condanné le deffendeur a payer sans delais Et aux frais. J B H LaCroix

M^r de S^t pierre curé de cette paroisse a presente Sa requete pour demander linterdiction de la boisson aux sauvages. La Cour a ordonné que les ordonnances rendues a ce sujet cy devant seront publiees dimanche prochain afin que personne ne lignore Et Les contrevenant punis selon lesd^t ordonnances.

a la meme Cour.

M^r DUBREUIL marchand de la rive espagnole Contre FR TROTIER comparant par Charles duCharme son fonde de pouvoir Et chargé de Ses affaires.

Le S^r dubreuil demande le payement dune somme de deux cent Cinq piastres quatre Escalins suivant le Billet dud^t s^r trotier Echus depuis le mois doctobre led^t Billet a ordre En datte du 13 fevrier de cette presente année.

Le deffendeur a dit navoir point de fond quant a present apartenant au s^r trotier p^r payer mais quil avoit En main des obligations a luy dues, quil aloit forcer les payments pour Satisfaire aud^t Billet.

La Cour a ordonné que vû le manque de fond Entre Les mains du s^r ducharme Et labsence du M^r trotier que M^r dubreuil Suspendre les payement jusques au mois doctobre de Lannée prochaine Et luy sera payé par m^r trotier Linterest suivant le taux du Commerce condamnons le s^r trotier aux frais.

a La meme Cour.

LE S^r BILLET demandeur contre LOUIS LECOMPTE defendeur

Le demandeur a produit un Billet contre Le deffendeur de la somme de deux cent livres En argent Echus depuis le mois doctobre dernier de la somme de deux cent livres requerant que le deffendeur le paye sans delais et aux frais et depens.

Le deffendeur a repliqué que SEtoit pour un Boeuf Et quil N'avoit pas pû se Servir du Boeuf quil Ne pouvoit pas le payer Et que le S^r Blay actuellement icy Etoit present quil sait ce que

[1] See p. 215.

which has matured. The defendant said that he had no money to pay, which is all the parties have said.

The Court condemned the defendant to pay the note without delay and the costs. J. B. H. LaCroix.

M. de St. Pierre, *Curé* of this parish, presented his petition in order to request the prohibition from giving drink to the savages. The Court decreed that the ordinances rendered herebefore on this subject shall be published next Sunday in order that no person be ignorant and that offenders shall be punished according to the said ordinances.[1]

At the same Court.

M. Dubreuil, trader from the Spanish bank, *vs.* Fr. Trottier, represented by Charles DuCharme, his private attorney and commissioned with his affairs.

M. Dubreuil demands the payment of a sum of two hundred and five *piastres* four *escalins* according to the note to order under date of February 13 of this present year, given by the said M. Trottier and matured since the month of October.

The defendant said that he did not have any funds at present belonging to M. Trottier with which to pay; but that he had in his hands obligations due him, of which he was going to force payments to satisfy the said note.

The Court decreed that, in view of the lack of funds in the hands of M. DuCharme and of the absence of M. Trottier, M. Dubreuil shall suspend payment until the month of October of next year and there shall be paid him by M. Trottier the interest according to the commercial rate. We condemn M. Trottier pay the costs.

At the same Court.

M. Billet, Plaintiff, *vs.* Louis Lecomte Defendant

The plaintiff produced a note against the defendant for the sum of two hundred *livres* in money, matured since the month of October last, and requires that the defendant pay him without delay with the costs and charges.

The defendant answered that it was for an ox and that he had not been able to make use of the ox; that he could not pay for it; and that M. Blay, now here, was present and that he knew

le deffendeur a dit au s^r^ Beausoleil et leur Conventions. sur quoy avons fait paroitre, le S^r^ Blay lequil aprés sermant par luy fait sur les S^t^ Evangiles Et interogé sil sait les conventions des parties a dit quil ne savoit point leurs conditions si non quil avoit Entendu que Le s^r^ LeCompte avoit achete du s^r^ Beausoleil, le boeuf p^r^ deux cent livres qui est tout ce quil a dit savoir. le tout examiné la Cour Condamne led^t^ Louis Lecomte a payer au s^r^ Beausoleil la Somme de deux cent livres p^r^ le montant du boeuf Et ce sans delais, si mieux naime led^t^ s^r^ Beausoleil reprendre le boeuf au Cas quil se retrouve a son Choix condamnons led^t^ Lecompte aux frais qui seront avancés par le s^r^ Beausoleil Et rembourcés par led^t^ Lecompte.

a la meme Cour.

Le S^r^ MOTARD demandeur contre LAURANT HAMELIN deffendeur

Le S^r^ motard demande au deffendeur le payement de Son Billet de la Somme de Cent quatre livres Seize sols En p^trie^ Echus. le deffendeur a dit que la pelterie ne valoit dans ce temps que vingt sols En argent Et quil na jamais Entednû faire un billet que de Cent quatre livres Seize sols En argent quil offroit de payer ladite somme de Cent quatre livres seize sols En argent et non en pelterie.

Led^t^ s^r^ Motard a repliqué quil Etoit vray que la pelterie ne valoit pas plus que largent dans le temps que le billet a Eté Consenty mais que par le retard du payement il demandoit que son payement fut fait suivant le Billet que dailleur SEtoit pour Equipement Et quil avoit Vendû aud^t^ hamelin ce quil avoit pris En pelterie Et non En argent. le tout consideré La Cour a Condamné led^t^ hamelin a payer son Billet en Entier de la Somme de Cent quatre livres Seize sols en pelterie Et ce sans delais Et aux frais qui seront avancés par le s^r^ motard et a luy Rembourcez par led^t^ hamelin.

a la meme cour.

LE S^r^ MOTARD demandeur Contre FRANCOIS TURGEON deffendeur

Le demandeur requiere le payement de plusieurs articles de travail quil devoit luy faire Et quil na point fait le tout verbalement.

what the defendant said to M. Beausoleil and their agreement. Whereupon we summoned M. Blay, who, after taking oath on the Holy Gospels and being asked if he knew about the agreement of the parties, said that he did not know the conditions, except that he had understood that M. Lecomte had bought from M. Beausoleil the ox for two hundred *livres*, which is all he said he knew. After examining all, the Court condemns the said Louis Lecomte to pay to M. Beausoleil the sum of two hundred *livres* for the price of the ox and this without delay, unless the said Beausoleil prefers to take back the ox in case it be found to his liking. We condemn the said Lecomte to pay the costs, which shall be advanced by M. Beausoleil and reimbursed to him by the said Lecomte.

At the same Court.

M. Motard, Plaintiff, *vs.* Laurent Hamelin, Defendant.

M. Motard demands of the defendant the payment of his note for the sum of one hundred and four *livres* sixteen *sols* in peltries, which is matured. The defendant said that peltries were worth at the time only twenty *sols* in money and that he never meant to make a note except for one hundred and four *livres* sixteen *sols* in money, that he offered to pay the said sum of one hundred and four *livres* sixteen *sols* in money and not in peltries.

The said M. Motard answered that it was true that peltries were not worth more than money at the time that the note was accepted; but that, on account of the delay in payment, he demanded that the payment should be made according to the note, and that besides it was for equipment; and that he had sold to the said Hamelin, what he had taken, for peltries and not for money. After considering all, the Court condemned the said Hamelin to pay his entire note for the sum of one hundred and four *livres* sixteen *sols* in peltries and this without delay, and to pay the costs, which shall be advanced by M. Motard and reimbursed to him by the said Hamelin.

At the same Court.

M. Motard, Plaintiff, *vs.* François Turgeon, Defendant.

The plaintiff demands the payment of several items of work, which the defendant ought to do for him, and which he has not done, all on a verbal agreement.

Le deffendeur a produit un Compte douvrage Et de journée a la charge du s^r motard.

Les quels comptes non pû intruire suffisament La Cour p^r donner un jugement juste. le tout Examiné elle renvoy les parties a Se pourvoir devant des arbitres devant qui ils produiront leurs comptes depart Et dautres.

Et al Egard du bled Et recolte quils ont En societé la cour a decidé que tout sera Raporté a la masse Et que led^t Bled sera Batu a frais Commun Cest a dire que le s^r motard fournira un homme et le Nourira Et payera; led^t turgeon Se fournira et se Nourira pour le tout Batu sans que qui que ce soit y puisse toucher. led^t bled sera partagé savoir un tier p^r turgeon Et les deux tier p^r s^r motard. toutes fois la semances de dix neuf minots prelevée par le s^r motard Et tous les frais de ladite recolte, tant des trois minots que le s^r motard a fait semer que les quatre minots que turgeon a Semé seront payez le tout sur la masse du bled La baterie de la grange Sera racommodée par led^t turgeon et le S^r motard a frais Commun et par moitie.

Et pour les reparations de la maison que le S^r motard demande aud^t turgeon Et que led^t turgeon na point fait. condamnons led^t turgeon a payer Cinquante livres au s^r motard p^r lesd^t reparations. Et les frais du proces compensez chacun par moitié qui seront avancés par le S^r motard et lautre moitié luy Sera Rembourcée par led^t turgeon.

La Cour est ajournée a 1^er janvier 1787.

Labuxiere gfier J B H LaCroix pr sdt.

a une cour du deux janvier mil sept cent quatre vingt sept tenue par.

M^rs jean B^te LaCroix clement alary
ant girardin Louis Chatel
joseph Lapensée

Le S^r Dumoulin demandeur contre Pierre troge deffendeur

Le demandeur requiere que le deffendeur luy paye le restant de Son Billet Echû duquel il y a Eu ci devant condamnation.

The defendant produced an account of work and of day's labor done at the charge of M. Motard.

Since these accounts could not instruct the Court sufficiently to make it possible to render a just judgment and after examining all, the Court dismissed the parties to plead before arbitrators, before whom they shall produce their accounts.

And in regard to the wheat and crops which they have in partnership, the Court decided that all shall be accounted for in the mass and that the said wheat shall be thrashed at the common expense, that is to say, M. Motard shall furnish a man with his keep and wages and the said Turgeon shall furnish himself with his keep, for the time of the whole thrashing. Without anyone whomsoever meddling with it, the grain shall be divided as follows, one third to Turgeon and two thirds to M. Motard. Yet the seed of the nineteen *minots* deducted previously by M. Motard, and all the expense of the said crop, as well as some three *minots* which M. Motard has had sown, and the four *minots* which Turgeon sowed, shall all be paid from the whole quantity of grain. The threshing-floor of the barn shall be repaired by the said Turgeon and M. Motard at common expense, equally divided.

And for the repairs of the house, which M. Motard demands of the said Turgeon and which the said Turgeon has not made, we condemn the said Turgeon to pay fifty *livres* to M. Motard for the said repairs. And each shall pay half of the costs of the suit, which shall be advanced by M. Motard, and one half shall be reimbursed to him by the said Turgeon.

The Court adjourned to January 1, 1787.

Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court of the second of January, 1787, held by

MM. Jean Bte. LaCroix. Clement Alarie.
Antoine Girardin. Louis Chatel.
Joseph Lapancé.

M. Dumoulin, Plaintiff, *vs.* Pierre Troge, Defendant.

The plaintiff demands that the defendant pay him the balance of his matured note for which judgment has been given herebefore.

Le deffendeur a repondû quil le payeroit a present sil avoit de quoy, mais quil le payeroit le plustost quil pouroit.

Sur quoy la Cour a ordonné au defendeur de payer Ce quil Redoit aud^{t} s^{r} dumoulin dans le Cour de ce mois, lequel tems passé la presente Sentence Sera mise a Execution condamné le deffendeur aux depens.

a la requisition de Thom Bredy la Cour a Saisy entre les mains du S^{r} jean B^{te} LaCroix la valeur dun Costé de Cuir et dun Eperon qui lui sont dub par le S^{r} Lorens taneur de la partie espagnole a qui le S^{r} Lacroix a des fonds Entre les mains, la Cour luy deffend de sen dessaisir que led^{t} lorams n'ait satisfait led^{t} Thom Bredy ou quil nen soit ordonné et Sera signiffié aud^{t} S^{r} LaCroix.

Sur la demande du S^{r} Beausoleil

Le S^{r} Louis Lecomte ayant refusé sur notre Sentence rendue contre luy de payer aud^{t} s^{r} Beausoleil aprés que commandemant et signiff^{on} de ladite sentence luy a Eté faite par notre huissier la Cour ordonne que la terre dud^{t} LeCompte dun arpent de large située a la prairie du pont tenant a Sans facon et a Courville sera saisie Et vendue judicierement a la porte de lEglise par trois Criées au plus offrant Et dernier Encherisseur au contant Et jusqua la Concurrance de ce quil doit aud^{t} Beausoleil frais et depens.

La Cour est ajourné au 1er fevrier prochain.

aujourdhuy quartorze janvier mil Sept cent quatre vingt sept est comparû au greffe de la Cour en presence de M^{r} Jean B^{te} Dubuque commandant de ce vilage

Le S^{r} augustin dubuque marchand voyageur demeurant presentement en ce susd^{t} village des Cahos. lequel a declaré quil desiroit de devenir un des sujets des Etats unis de Lamerique et a fait le Sermant de fidelité aux dits Etats ainsy quil suit. Je fait Sermant de renoncer et refuser toute fidelité a george trois Roi de la grande Bretagne Ses hoirs Et Sucesseurs, que je seray fidel Et porteray vray fidelité a la republique de la verginie comme un Etat

The defendant answered that he would pay it now, if he had means; but that he would pay it as soon as he could.

Whereupon the Court commanded the defendant to pay what he still owed to the said M. Dumoulin in the course of this month; and when that time was past, the present judgment shall be put in execution. Condemned the defendant to pay the expenses.

On the requsition of Tom Brady the Court has seized from the funds belonging to M. Lorens, tanner on the Spanish side, now in the possession of M. Jean Bte. LaCroix, the value of a side of leather and a spur, which is due him from the said M. Lorens. The Court forbids M. LaCroix to dispossess himself thereof until the said Lorens has satisfied the said Tom Brady or an order thereto has been made; and notice shall be served on the said LaCroix.

On the prayer of M. Beausoleil.

M. Louis Lecomte having refused, upon our judgment rendered against him, to pay the said M. Beausoleil, after formal demand and notification of the said judgment was made to him by our *huissier*, the Court decrees that the land of the said Lecomte, of an arpent in width, situated in the Prairie du Pont adjacent to the lands of Sansfaçon and Courville, shall be seized and sold by judicial sale at the door of the church, after three publications, to the highest bidder for cash and up to the equivalent of what he owes to the said Beausoleil with costs and expenses.

The Court adjourned to next February 1.

To-day the fourteenth of January, 1787, there appeared at the record-office of the Court in the presence of M. Jean Bte. Dubuque, Commandant of this village,

M. Augustin Dubuque, traveling trader, dwelling at present in this village aforesaid of Cahokia, who declared that he desired to become one of the subjects of the United States of America and made oath of fidelity to the said States as follows: I make oath to renounce and refuse all fidelity to George III., King of Great Britain, his heirs and successors; and that I will be faithful and bear fidelity to the Republic of Virginia as a free and in-

libre et independant Et jamais je ne feray ni ne feray faire aucune Chose qui puisse etre prejudiciable ni injurieuse a la liberté Et independance dud^{t} Etat comme est declaré par le congré. Et aussi que je discouvriray et feray savoir a quelque juge de paix dud^{t} Etat toutes trahisons ou Conspirations qui Seront venues ou pourront venir a ma connoissance formée contre led^{t} Etat ou quelquautres des Etats unis de Lamerique. duquel Sermant led^{t} augustin dubuque a requis acte En presence de Lassemblee tenue cejourdhuy En la maison du M^{r} fr. Saucier, Et Encore dud^{t} S^{r} jean B^{te} dubuque Commandant de M^{r} jean B^{te} LaCroix presidant magistrat et dud^{t} S^{r} francois Saucier temoins qui ont avec led^{t} S^{r} augustin debuque signé le present lesd^{t} jour et an.

[*Signed*] Aug. Dubuque — B Dubuque
marque de — DuCharme
+
F. Courier
Labuxiere gfier — J. B. H. LaCroix pr sdt.

a une Cour du 19 fevrier 1787.

M^{r} saucier presidant a l'absence du M^{r} LaCroix
ant girardin — joseph Lapensée
Louis Chatel — M^{t} saucier
clement alary

demandeur M^{r} f^{s}. SAUCIER contre JOSEPH BARIBAUD

Le demandeur a dit que le deffendeur luy devoit un milier de Bardaux Et quil le luy avoit paye. le deffendeur a denie par des raisons repliques et autres propos que la Cour a bien entendu Et le tout murement Examiné, le serment preté par p^{re} leperche Comme temoins. Ladite cour condamne Ledit Baribaud a rendre dans la Cour du S^{r} saucier un millier de Bardaux bon et recevable sujet a visite le tout aux frais dud^{t} Baribaud et payera au s^{r} saucier Les frais du procés liguidez [*sic*] a quinze livres dont le s^{r} saucier fera compte a la justice ce qui sera executé le tout sans delais.

A^{t} Girardin

dependent state; and I will do nothing nor will I cause anything to be done, which can be prejudicial or injurious to the liberty and independence of the said State, as is declared by Congress. And also I swear that I will disclose and make known to some justice of the peace of the said State all treasons or conspiracies, which shall have come or may come to my knowledge, formed against the said State or others of the United States of America. Of which oath the said Augustin Dubuque demanded certificate. Given in the presence of the assembly, held to-day in the house of M. Fr. Saucier, and also in the presence of M. Jean Bte. Dubuque, Commandant of [this village] and of M. Jean Bte. LaCroix, President and Magistrate, and of the said M. François Saucier, witness, who have with the said M. Augustin Dubuque signed the present the said day and year.

[*Signed*] Aug. Dubuque. Aug. Dubuque.
Mark of DuCharme.
+
Fr. Courier.
Labuxiere, Clerk. J. B. H. LaCroix, Pres.

At a Court, February 19, 1787.

M. Saucier, President in the absence of M. LaCroix.
Ant. Girardin. Joseph Lapancé.
Louis Chatel. Matt. Saucier.
Clement Alarie.

M. Fr. Saucier, Plaintiff, *vs.* Joseph Baribaud.

The plaintiff said that the defendant owed him a thousand shingles and he had paid him for them. The defendant denied by arguments, rejoinders and other talk, which the Court has attentively heard; and having carefully examined all and the oath taken by Pierre Laperche as witness, the said Court condemns the said Baribaud to deliver in the yard of M. Saucier a thousand shingles, good and acceptable, and subject to inspection, the whole at the expense of the said Baribaud; and he shall pay to M. Saucier the costs of the suit which are fixed at fifteen *livres*, for which M. Saucier shall make account to justice, for all of which there will be execution without delay. At. Girardin.

a la meme cour.

LOUIS VADEBONCOEUR demandeur contre GABRIEL BARON qui na voulû paroitre aprés lordre recû

Le demandeur a produit un compte de fourniture montant a vingt cinq livres quil a sermanté devant la Cour.

vû le refus du deffendeur de ne vouloir paroitre la dite cour la condamné a payer sans delais aud^{t} demandeur la somme de vingt Cinq livres Et En quinze livres de frais. qui seront avancés par le demandeur et a luy rembourcés par led^{t} gabriel Baron ce qui sera Executé.

La Cour est ajournée au 1er mars 1787.

f. saucier.

a une Cour du premier mars 1787.

M^{rs} LaCroix presidant	joseph Lapensée
A^{t} girardin	Clement alary

Les deputéz de la fabrique des Cahos Etant assemblez devant la Cour pour Se laver de Limputation qui leur a Eté faite davoir recelé des papiers que M^{r} augustin dubuque leur avoit confié, leqeul dit s^{r} dubuque apres un Certain tems et plusieurs Recherche a dit Les avoir trouve Entre deux pieux de son terrain M^{r} de S^{t} pierre curé de cette paroisse present a requis le sermant dun chacun des dits deputez comme il Navoit aucune part a lEgarement des papiers. Lesquels devant La Cour Savoir le s^{r} francois saucier, s^{r} jean B^{r} LaCroix, s^{r} antoine Girardin, Charle du-Charme, francois Courier joseph Labuxiere, grefier, Et Mond^{t} S^{r} de S^{t} pierre curé ont fait led^{t} sermant.

sur quoy la Cour les a declaré absout de tout soupcon a cet Egard. sur la declaration que le s^{r} dubuque fait. Et de son sermant quil a fait quil ignoroit qui les avoit mis a cet Endroit dont il decharge les dits deputez Et tous autres.

marque de	marque de
+	+
joseph Lapensee	Clement alary

Les S^{rs} Lonval, deslonchamps Et joseph Lapensée on demandé le des domagement des Clotures des terres de lEglise vendue a rente le dimanche 25 de ce mois. la Cour a ren-

At the same Court.

Louis Vadeboncoeur, Plaintiff, *vs.* Gabriel Baron, who was unwilling to appear after receiving summons.

The plaintiff produced an account for supplies amounting to twenty-five *livres* to which he made oath before the Court.

In view of the refusal of the defendant to appear, the said Court condemned him to pay without delay to the said plaintiff the sum of twenty-five *livres*, and fifteen *livres* for costs, which shall be advanced by the plaintiff and reimbursed to him by the said Gabriel Baron, for which there will be execution.

The Court adjourned to March 1, 1787.

F. Saucier.

At a Court March, 1, 1787.

MM. LaCroix, President. Joseph Lapancé.
Ant. Girardin. Clement Alarie.

The deputies of the vestry-board of Cahokia having assembled before the court to clear themselves of the charge, which has been made against them, of having concealed some papers which M. Augustin Dubuque had confided to their care, and which the said M. Dubuque said he had found, after a certain time and several searches, between two stakes of his land, M. de St. Pierre, *curé* of this parish who was present, demanded the oath from each of the said deputies that he had no share in the loss of the papers. The following have taken the said oath before the Court, to wit: M. François Saucier, M. Jean Bte. LaCroix, M. Antoine Girardin, Charles DuCharme, François Courier, Joseph Labuxiere, Clerk, and the said Sieur de St. Pierre.

Whereupon the Court declared them absolved from all suspicion in this respect on the affidavit which M. Dubuque made and his oath which he made that he did not know who put them in that place, with which he discharges the said deputies and all others.

Mark + of
Joseph Lapancé
Mark + of
Clement Alarie

voyer la prochaine Cour pour En decider ne se trouvant complette.

La Cour est ajournée au 1er avril 1787.

J B H LaCroix.

aujourdhuy premier mars mil sept cent quatre vingt sept Est Comparue au greffe de la Cour En presence de Mrs Les magistrats, Marie Louise Lemire veuve de deffunt francois Groslé tué par les Sauvages Environ huit jours aprés leur mariage Et comme ledt groslé avant detre marié avant [*sic*] lexposante avoit Contracté differentes debtes avant dEntrer En Communauté avec elle Et quil ne se trouve ancunne Chose pour remplir son douaire porté par son Contract de mariage que la somme de deux cent livres qui sont Entre les mains de francois Biguier dit groslé pere dudt deffunt quelle reclame pr ses droits qui sont a plus forte somme cest pourquoy ayant Examiné les affaires dudt deffunt Et les debtes quil a Contracte tant avant son mariage que frais de nocces et aprés le susdit mariage Et voyant par le deces dudt deffunt groslé Biguier son mary que la Communauté quil y avoit luy est plus honnereuse que profitable Elle a declaré devant ladite Cour et declare quelle renoncé comme de fait Elle a renoncé a la Communauté quil y avoit Entre ledt deffunt francois Biguier dit Groslé Et Elle pour les tor quelle En souffriroit Et quelle En soufre, actuellement declarant quelle se desiste de ladite Communauté et que ledit deffunt ny a Rien aporté ny guains ny travaux declare En outré ladite veuve quelle ne sest immissée En aucunne facon de payer ni recevoir aucunne Chose qui ay pû apartenir audt deffunt, Et que ledt francois Groslé pere dudt deffunt a pris Et retiré tout ce qui pouvoit apartenir a Son dit fils, quelle Reclame seulement la somme de deux cent livres que ledt francois groslé a Entre ses mains apartenante audt deffunt son mary provenante de la succession de Sa mere pour luy tenir lieu de douaire Et preciput a Elle accordé par son Contract de mariage avec ledt francois Biguier dit groslé de laquelle declaration Et renonciation elle a requis acte que la Cour

[1] For lack of a quorum.

MM. Lonval, Deslonchamps and Joseph Lapancé demanded damages for the fences of the church lands, the leases of which were sold Sunday, the 25th of this month. The Court dismissed the case to the next Court for decision, not finding itself complete.[1]

The Court adjourned to April 1, 1787.

J. B. H. LaCroix.

To-day, the first of March, 1787, there appeared at the office of the Court in the presence of the magistrates, Marie Louise Lemire, widow of the deceased Groslé, who was killed by the savages about a week after their marriage; and since the said Groslé, before being married to the petitioner and entering into a community of goods with her, had contracted divers debts, and there is found nothing from which to refund her dower, declared by her contract of marriage, except the sum of two hundred *livres*, which are in the hands of François Biguier called Groslé, father of the said deceased, and which she claims for her dues, which are for a greater sum; this is the reason why, after examining the affairs of the said deceased and the obligations which he contracted as well before his marriage as for the expenses of the marriage and after the marriage aforesaid, and seeing from the death of the said deceased Groslé Biguier, her husband, that the community of goods which exists is more burdensome than profitable for her, she declared before the said Court and declares that she renounces, as in fact she has renounced, the community of goods, which existed between the said deceased François Biguier called Groslé and herself, on account of the wrong which she would suffer and is suffering from it; and now she declares that she abandons the said community of goods; and that the said deceased contributed nothing, neither gains nor work, thereto; the said widow declares furthermore that she has not entered upon possession in any way either by paying or receiving any thing which may have belonged to the deceased; and that the said François Groslé, father of the deceased, has taken and withdrawn all that which could belong to his said son, and that she claims only the sum of two hundred *livres*, which the said François Groslé has in his possession, belonging to the deceased, her husband, and

luy a octroyé sous le sermant quelle a fait de n'avoir Rien detourné des effets appartenants aud[t] deffunt son mary et quelle accuse la verité de tout ce quelle a declaré cy dessus. sur quoy ladite Cour aprouve ladite renonciation et ordonne quelle sortira son plain Et Entier Effet Et ladite Lemire sera Bien et valablement dechargé de toutes debtes de ladite Communauté Et autres quil peut avoir Contracté tant avant quaprés led[t] mariage. la Cour alouant a ladite veuve les deux cent livres qui se trouvent Entre les mains dud[t] francois Biguier pere dud[t] deffunt p[r] luy tenir lieu de douaire Et de preciput au payement de laqeulle somme led[t] francois Biguier sera Contraint Et avons signé les d[t] jour et an et ladite veuve fait sa marque ord[re] ne sachant signer lesd[t] jour et an.

marque de +
marie joseph Lemire — J B H LaCroix.

a une Cour du deux avril mil Sept cent quatre vingt sept.

Jean B[te] LaCroix Presidant — joseph Lapensée
antoine girardin — Mathieu Saucier
Louis chatel — Magistrats

Le S[r] JOSEPH LABUXIERE procureur aux biens vacants Chargé de la Sucession de raphael gagné demandeur Contre JOSEPH POUPART habitant deffendeur

[1] Where the *coutume* ruled in France, the community of goods between husband and wife was created by marriage. There were several forms of this marital association under French law, but the simpler form of the *communauté universelle* prevailed among the French settlers in America. The properties of the husband and wife were united in a common fund, which was responsible for all debts contracted by either party before or after marriage. There was thus created by marriage a tenancy in common. Although the husband was the head of the community, the sale or purchase of property was made in the name of both parties customarily, and this is the usual form found in the private instruments among the Illinois records. By the contract of marriage all property possessed or to be acquired in the future was mutually given to each other by the contracting parties, so that in case no child was born — a condition always mentioned — the survivor would have all the property of the community. This act made the community of goods into a conditional joint tenancy. In case of the birth of a child, the widow possessed as her right in the community a life interest in half the common property. The community of goods was frequently continued after the death of one of the parties during the minority of the children. On account of the early marriages of the widows in the frontier com-

which descended from the estate of his mother, to replace the dower and jointure, accorded her by her contract of marriage with the said François Biguier called Groslé. And she has asked for a certificate of this declaration and renunciation, which the Court has granted to her upon her making oath that she had nothing, drawn from the effects belonging to the said deceased, her husband, and by which she acknowledges the truth of all she has declared above. Whereupon the said Court approves the said renunciation and decrees that it shall have its complete and full effect and the said Lemire shall be truly and validly discharged from all debts of the said community and others which may have been contracted as well before as after the said marriage. And the Court allows the said widow the two hundred *livres*, which are in the hands of the said François Biguier, father of the said deceased, to replace the dower and jointure, to the payment of which the said François Biguier shall be constrained.[1] And we have signed the said day and year, and the said widow made her mark, not knowing how to sign, the said day and year.

Mark of J. B. H. LaCroix.

\+

Marie Joseph Lemire.

At a Court, April 2, 1787.

Jean Bte. LaCroix, President Joseph Lapancé

Antoine Girardin Matthieu Saucier.

Louis Chatel.

M. Joseph Labuxiere, attorney for the property in abeyance of the estate of Raphael Gagné, plaintiff, *vs.* Joseph Poupar, citizen, defendant.

Heard the plaintiff in his explanatory petition which shows that the said Poupar owes the said estate a sum of fourteen hundred and nineteen *livres* in money or peltries according to his note which

munity, this caused complexity in the property rights of the families. In the above case the widow found that the succession to the community of goods would be more burdensome than profitable, and therefore she appeared before the Court and made formal renunciation thereof. She thus escaped from all responsibility for the debts of the community. This, however, did not annul her rights in her husband's property, for by the renunciation of her rights to the community, she had revived her dower rights, amounting to a half or a third of her husband's property. Since the parents of her husband participated in making the contract of marriage by giving their consent thereto, the widow acquired a life interest in their property to the amount of her dower. De Ferriere, *Coutume de Paris*, iii., 2 *et seq.*; Viollet, *Hist. du droit civil Français*, 771 *et seq.*

ouy le demandeur en sa requete expositive que led^{t} poupart doit a ladite Sucession une somme de quatorze cent dix neuf livres en argent ou pelterie suivant son Billet Echû depuis plus de dix huit mois. que la Sucession doit a plusieurs particuliers qui reclament leurs Creances que lancan ayant Eté fait a deux ans de Credy le demandeur n'a aucun fond pour payer, quil a fait plusieurs requisition au deffendeur de payer Sans avoir pû obtenir de luy le payement a cette fin Coucluant a ce quil soit condamné a payer le restant de son Billet montant a ladite somme de quatorze Cent dixneuf livres, Et aux frais Et depens et interest.

ouy le deffendeur qui a dit quil reconnoit devoir la Somme de quatorze cent vingt neuf livres mais quil na aucun moyen de payer actuellement ne se voyant pas En sutsiation [*sic*]. Sur quoy la Cour a surcit le payement jusques au mois doctobre prochain en payant Linterest a Cinq p^{r} Cent sur laquelle somme le deffendeur a payé Compte celle de trois cent soixante dix neuf livres Cinq sols Endossé sur son obligation ce dit jour donné aux Cahos lesd^{t} jour Et an + En un memoire quil a produit.

a la meme Cour.

Mathieu saucier demandeur contre B^{te} La Becasse deffendeur

Le demandeur a produit un Billet contre le deffendeur de la somme de Cinq Cent livres Echus depuis un an En demandant le payement Sans delais. le deffendeur a reconnû le billet Et a dit navoir aucun moyen de payer a present quil le payeroit quand il auroit de quoy.

Sur quoy la Cour a ordonné Et a condamné le deffendeur a payer au demandeur le montant de Son obligation dans le cour doctobre prochain a quoy faire il sera contraint par saisie Et vente de Ses Biens privilegierement. donné En Cour lesd^{t} jour Et an.

a la meme cour.

M^{r} augustin dubuque demandeur contre Thom Bredy deffendeur

Le demandeur reclame la Somme de douze Cent trois livres onze sols quatre deniers pour marchandises quil luy a fourni p^{r} son Commerce avec linterest frais et depens.

matured more than eighteen months ago; and that the estate owes several persons who are claiming their dues; and that, since the auction of the property had given two years credit, the plaintiff has no other fund from which to pay; that he has made several demands upon the defendant to pay without being able to obtain the payment from him; therefore he concludes that the defendant should be condemned to pay the balance of his note amounting to the said sum of fourteen hundred and nineteen *livres* and the costs, charges and interest.

Heard the defendant, who said that he acknowledged that he owed the sum of fourteen hundred and twenty-nine [nineteen?] *livres*, but that he had no means to pay at present, not finding himself in position to pay. Whereupon the Court suspended the payment until the month of October next, and decreed that interest at five per cent be paid. On this sum the defendant paid this day an installment of three hundred and seventy-nine *livres* five *sols*, endorsed on his obligation. Given at Cahokia the said day and year on a memorandum which he produced.

At the same Court.

Matthieu Saucier, Plaintiff, *vs.* Bte. Labecasse, Defendant.

The plaintiff produced a note against the defendant for the sum of five hundred *livres*, matured a year ago, and demands the payment of it without delay. The defendant acknowledged the note and said that he had no means at present, and that he would pay when he had means.

Whereupon the Court decreed and condemned the defendant to pay to the plaintiff the amount of his obligation in the course of October next; to do which he shall be constrained by seizure and sale of his property with preference. Given in Court the said day and year.

At the same Court.

M. Augustin Dubuque, Plaintiff. *vs.* Tom Brady, Defendant.

The plaintiff claims the sum of twelve hundred and three *livres* eleven *sols* four *deniers* with interest, costs and charges for merchandise, which he furnished him for his trade.

Heard the defendant, who said that he did not owe this entire

ouy le deffendeur qui a dit quil ne devoit pas cette somme en Entier et quil navoit pas de quoy la payer actuellement, qua la permiere demande de M^r^ dubuque il avoit voulu luy hypotequer des effets p^r^ surete de ce quil pouvoit luy devoir mais que led^t^ s^r^ dubuque Navoit pas voulû les accepter dans le temps, que pour le present son epouse ne le vouloit plus. quelle vouloit Rendre compte a Ses Enfans auparavant, quil ne desavouet pas de devoir au s^r^ dubuc Mais quil demandoit un delais en faisant son obligation.

Sur quoy la Cour a condamné le deffendeur a payer au demandeur le montant de ce quil doit aud^t^ s^r^ dubuc Et ce sans delais a quoy faire quil soit contraint par saisie Et vente des meubles et effets qui apartiennent directement aud^t^ Thom Bredy sur lesquels led^t^ S^r^ dubuc aura privilege. Sans derroger au privilege et preferance que les Enfans de laflame on sur ceux dud^t^ deffendeur Lesquels Biens du deffendeur. En cas que preferance Nait lieu p^r^ les mineurs laflame Seront estimez et aura le Choix led^t^ s^r^ dubuc de les prendre au prix de lestimation ou de accorder un delais. condamnons led^t^ Thom Bredy aux frais Et depens qui seront avancés par le s^r^ dubuq.

delivre copie p^r^ signifier a thom Bredy.
a la meme cour.

p^re^ MARTIN demandeur contre LE S^r^ AUGUSTIN DUBUC deffendeur

Le demandeur reclame contre le deffendeur un memoire de fournitures p^r^ Loyer de Cloison fournitures de Madriers planches et Cloux montant a deux cent vingt Cinq livres dix sols En argent Lesquels fournitures il luy a fait a Sa demande.

ouy le deffendeur qui declare avoir Emprunté la Cloison Sans luire [*sic*] ni meme sans parler de loyer, Et que les Conventions Etoient de luy remetre la Cloison En meme Etat quelle Etoit lors quil la pretée lauthomne. Et comme il avoit recommandé a M^r^ tabault de faire remetre la Cloison il a dit au deffendeur quil avoit

[1] The wife of Thomas Brady was a Madame Laflamme, whose children by her first husband had rights in the community of goods established by her marriage with their father and which had not been ended by a division of the property, when she formed the second community of goods with Brady. Madame Brady now desired to settle with her children before the community of goods with Brady became responsible for the debts owing Dubuque; but the Court gave judgment against that property which had been brought to the community by Brady.

[2] Note in margin by the clerk.

sum, and that he did not have means to pay at present; that at the time of the first demand of M. Dubuque, he had wished to give him a mortgage on his effects for surety for that which he might owe him; but that the said M. Dubuque had not been willing to accept them at the time, and that now his (the defendant's) wife was no longer willing, and that she wished to render account to her children first; that he did not disavow his debt to M. Dubuque, but that he asked for a delay in fulfilling his obligation.

Whereupon the Court condemned the defendant to pay to the plaintiff the amount of what he owed the said M. Dubuque and that without delay; and the Court decreed that he should be constrained to do this by seizure and sale of the personal property belonging directly to the said Tom Brady, on which the said M. Dubuque shall have preference, without derogating from the privilege and preference, which the children of Laflamme have on the property of the said defendant.[1] In case the minor heirs of Laflamme have no right of preference, this property of the defendant shall be appraised and the said M. Dubuque shall have the choice of taking it at the appraised value or of granting a delay. We condemn the said Tom Brady to pay the costs and charges, which shall be advanced by M. Dubuque.

Delivered a copy for notification to Tom Brady.[2]

PIERRE MARTIN, Plaintiff, *vs.* M. AUGUSTIN DUBUQUE, Defendant.

The plaintiff claims payment from the defendant of a bill for supplies, namely for rent of partition, supplies of joists, planks and nails amounting to two hundred and twenty-five *livres* ten *sols* in money, which supplies he furnished the defendant at his request.

Heard the defendant, who declares that he had borrowed the partition without renting or even speaking of rent; and that the agreement was that he return the partition to the plaintiff in the same condition it was when the latter lent it in the autumn; and as he had ordered M. Tabeau to have the partition returned, he told the plaintiff that he had made arrangements with Troge

pris des arrangement avec troge p^r^ la remetre telle quelle Etoit Et comme il y avoit quelques planches qui avoient Eté rognés il devoit luy En remetre dautres ou saranger avec martin quil Etoit juste que si la Cloison navoit pas Eté Remise comme m^r^ martin sen plain il faut quelle soit remise En sa Nature par troge ou par ceux qui ont les fonds de la societé.

Le tout examiné par la Cour Elle a Condamné Et condamne le s^r^ dubuque a payer Sans delais aud^t^ pierre martin la Somme de Cent trente Cinq livres dix sols pour le montant de son memoire a laquelle nous lavons reduit sauf le recour dud^t^ s^r^ dubuque sur la societé condamne le s^r^ dubuque aux frais Et depens.

MICHEL CHARLY demandeur contre FRANCOIS GRAMONT deffendeur

Le demandeur Reclame contre le deffendeur dix livres pour la bedauderie qui luy sont dus p^r^ lannée derniere 1786 p^r^ la maison du deffendeur.

Le deffendeur a dit quil avoit vendu sa maison des le 24 7^bre^ dernier que dailleur il ny demeuroit pas quil demeuroit chés M^r^ LaCroix.

La Cour a condamné le S^r^ gramont a payer au demandeur Sept livres dix sols p^r^ sa part de la bedauderie jusqua la fin de Septembre dernier Et condamne M^r^ charles cadron a luy payer Cinquante sols p^r^ les trois derniers mois de 1786. condamne la Sucession de deffunt gramont aux depens liquidez a quinze livres donné En Cour lesd^t^ jour Et an.

a la meme Cour.

JOSEPH AMELIN demandant contre HENRY KERTIS dit BIENVENU

Le demandeur a produit un Certifficat du Nommé Maillet, Et Chevalier, vizé par m^r^ Cruzat commandant a S^t^ Louis par lequel il apert que led^t^ maillet Etoit Chargé dune obligation de Neuf cent Soixante neuf livres En pelterie Et quil a perdû ladite obligation suivant led^t^ Certifficat quil donne p^r^ tenir lieu dobligation declarant quil na Rien recû dessus. ladite obligation due par led^t^ joseph Kertis dit Bienvenû icy present a la Cour Requerant que led^t^ Kertis dit Bienvenû ait a luy En payer le montant Et aux frais Et depens.

[1] See case somewhat similar on p. 239.

to return it in the same condition it was; and since there were some planks which had been cut off, he ought to return others for them or make arrangements with Martin. He said that it was just, if the partition had not been returned, as M. Martin makes complaint, that it should be returned in good condition by Troge or by those who have the funds of the partnership.

All having been examined by the Court it condemns and does condemn M. Dubuque to pay without delay to the said Pierre Martin the sum of one hundred and thirty-five *livres* ten *sols* the amount of his bill, to which sum we have reduced it, reserving to the said M. Dubuque recourse against the partnership. Condemned M. Dubuque to pay the costs and charges.

MICHEL CHARLY, Plaintiff, *vs.* FRANÇOIS GRANDMONT, Defendant.

The plaintiff claims from the defendant ten *livres* for the beadlery, which are due on the house of the defendant for last year, 1786.

The defendant said that he had sold his house the 24th of last September, and that besides he did not live there, but at M. La-Croix.[1]

The Court condemned M. Grandmont to pay to the plaintiff seven *livres* ten *sols* for his share of the beadlery up to the end of September last; and condemns M. Charles Cadron to pay him fifty *sols* for the three last months of 1786; and condemns the estate of the deceased Grandmont to pay the costs which are set at fifteen *livres*. Given in Court the said day and year.

At the same Court.

JOSEPH HAMELIN, Plaintiff, vs. HENRY KERTIS called BIENVENU.

The plaintiff produced a certificate of the named Mailhet and Chevalier, signed by M. Cruzat, commandant at St. Louis, according to which it appears that the said Mailhet was intrusted with a note for nine hundred and sixty-nine *livres* in peltries and that he lost the said note, according to the said certificate, which he gives to take the place of the note; and he declares that he has received nothing upon the said obligation owed by the said Joseph Kertis called Bienvenu, here present in Court; and he prays that the said Kertis called Bienvenu be held to pay him the amount with costs and charges.

ouy le deffendeur qui a recusé le Certifficat et qui a dit quil ne devoit qua son Billet que lon N'avoit qua le luy presenter quil offroit de le payer quil declaroit ne pouvoit le payer autrement quil pouvoit luy etre presenté a missilimakinac ou ailleurs Et quil seroit obligé de le payer. quil avoit donné ordre au s^r Louis gaud de retirer de largent ou pelterie du s^r maillet mais que maillet avoit repondû quil avoit a produire des debtes aud^t Bienvenû que cest peut Etre led^t Billet dont est question. quil ne devoit Rien aud^t maillet dailleurs.

La Cour a daboutée le demandeur de Ses demandes jusques a ce quil ait produit Le Billet en question la Condamné aux frais Et depens liquidez a quinze livres donné en Cour lesd^t jour Et an.

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M^r Myer Michael demandeur contre Pierre troge deffendeur nayant voulu paroitre aprés avoir Eté assigné.

Le demandeur a presenté deux billets a luy dus par le deffendeur lun de la somme de deux Cent Cinquante deux livres dix sols En argent Et lautre de Cent Cinquante formant les deux sommes celle de quatre Cent deux livres deduction faite des acompte Reste trois cent Cinquante six livres Sept sols qui le demandeur requiere que led^t troge luy paye sans delais avec les frais et depens.

La Cour atendû que led^t troge na voulu paroitre aprés avoir Eté apellé trois fois a la porte de laudience la Condamné a payer au demandeur la dite somme de trois cent Cinquante six livres Sept sols. Et ce sans delais sauf aud^t troge de donner des sureté au demandeur sil veut obtenir du terme Et la Condamné aux frais liquidez a quinze livres qui seront avancez par le demandeur Et a luy rembourcez par le deffendeur donné En Cour.

La Cour est ajournée au premier May prochain ce 2 avril 1787.

J B H LaCroix Pr Sdt.

[1] Note in margin by the clerk.

Heard the defendant, who took exception to the certificate and who said that he owed only for his note; that one had only to present it to him; that he offered to pay it; that he declared he could not pay it otherwise; that it might be presented to him at Michillimackinac or elsewhere and that he would be bound to pay it; that he had given orders to M. Louis Gaud to withdraw money or peltries from M. Mailhet; but that Mailhet had answered that he had to give particulars of the debts to the said Bienvenu, and that perhaps that is the said note in question; that he owed nothing to the said Mailhet otherwise.

The Court denied the prayers of the plaintiff until he should have exhibited the note in question; and condemned him to pay the costs and charges, which were set at fifteen *livres*. Given in Court the said day and year.

Delivered a copy to Amelin, 5 *livres*.[1]

M. Myer Michaels, Plaintiff, *vs.* Pierre Troge, Defendant, who was unwilling to appear after having been summoned.

The plaintiff presented two notes due him by the defendant, one for the sum of two hundred and fifty-two *livres* ten *sols* in money and the other for one hundred and fifty, the two amounting to four hundred and two *livres*. After deduction for the installments made, there remain three hundred and fifty-six *livres* seven *sols*, which the plaintiff demands that the said Troge pay him without delay, with costs and charges.

The Court, considering that the said Troge did not wish to appear after having been summoned three times at the door of the audience chamber, condemned him to pay to the plaintiff the said sum of three hundred and fifty-six *livres* seven *sols*, and that without delay, reserving to the said Troge the right to give surety to the plaintiff, if he wishes to obtain terms; and condemned him to pay costs, which were set at fifteen *livres*, which shall be advanced by the plaintiff and reimbursed to him by the defendant. Given in Court.

The Court adjourned to the first of May next, this second day of April, 1787.

J. B. H. LaCroix, Pres.

a une Cour du premier May mil sept cent quatre vingt Sept.

M^rs jean B^te LaCroix Presidant	Mathieu Saucier
Louis Chalet	joseph Lapensée
	magistrats

le S^r JEAN DUMOULIN demandeur contre AUGUSTIN DUBUQ deffendeur

Le demandeur reclame une Somme de deux Cent dix neuf livres dix sols En argent p^r plusieurs articles portés au compte quil a Produit devant la Cour concluant a ce que le deffendeur luy paye ladite Somme Et aux frais Et depens, demandant a Etre dechargé du payement des Clostures que les adjudicataires avoient fait Sur les terres de la mission, dautant que les dites terres ont Eté reprises par la fabrique.

Le deffendeur repond que les Conventions faites avec M^r Dumoulin Etoit de luy donner le dix p^r cent sur toutes les sommes quil recevoit de la vente des Biens a la charge de payer les frais de Criées Et que ce dix p^r cent devoit etre partagé Entre led^t S^r dumoulin Et le s^r Labuxiere p^r les Ecritures quil feroit mais que nen ayant point fait le S^r Labuxiere ne demandoit Rien, Et que Comme la fabrique a repris les Biens de ladite mission le deffendeur demandoit a Etre decharge du payement quexige M^r du Moulin p^r son recononcment [*sic*].

Sur quoy vû les contestations des parties Et Nayant voulû Sen raporter a un arbitrage La Cour a Nommé les jurés cy aprés pour decider de leur affaires. savoir

M^rs Myer Michaels	Morel
helene	hugues huvard
Largeau	Jacq LaCroix
Laurant ducharme	Belle
Courtois	Kaorn
Wouel	p^re Billet

donné en Cour le 1^er may 1787.

a la meme Cour.

Le S^r AUGUSTIN DUBUQUE demandeur contre PIERRE MARTIN deffendeur

Sur le proces entreux devant la cour du deux davril dernier le s^r dubuq a dit navoir Rien promis a martin p^r loyer de sa Cloison

At a Court, May 1, 1787.

MM. Jean Bte. LaCroix, President. Matthieu Saucier.
Louis Chatel. Joseph Lapancé.
Magistrates.

M. JEAN DUMOULIN, Plaintiff, *vs.* AUGUSTIN DUBUQUE, Defendant.

The plaintiff claims a sum of two hundred and nineteen *livres* ten *sols* in money for several items carried on the account which he exhibited to the Court and he concludes that the defendant should pay him the said sum with costs and charges; and he prays that he be released from the payment for closing up the accounts, which the purchasers made on the lands of the mission, inasmuch as the said lands have been taken back by the vestry-board.

The defendant answers that the agreement with M. Dumoulin was to give him ten per cent on all the sums which he received from the sale of the property, on condition that he pay the costs of the auction; and that this ten per cent was to be divided between the said M. Dumoulin and M. Labuxiere for the deeds which the latter should make, but since he had made none, M. Labuxiere demanded nothing; and that since the vestry-board had taken the property of the said mission, the defendant demanded that he be released from the payment which M. Dumoulin exacts for his renunciation.

Whereupon, because of the contests of the parties and since they are unwilling to submit to an arbitration, the Court named the following jurors to decide their cause. to wit:

MM. Myer Michaels.	Morel.
Helene.	Jacques LaCroix.
Largeau.	Bell.
Laurent DuCharme.	Cahorn.
Hugues Heward.	Courtois.
Wouel.	Pierre Billet.

Given in Court May 1st, 1787.

At the same Court.

M. AUGUSTIN DUBUQUE, Plaintiff, *vs.* PIERRE MARTIN, Defendant.

In the suit between them before the Court the second of last April, M. Dubuque said that he had promised Martin nothing

et quil luy a seulement dit quil la luy feroit Remetre au meme Etat. Martin a dit quil luy avoit promis un loyer Et quil seroit Contant mais que au lieu de suivre ces conventions il a gasté Ses planches et sa Cloison ainsi que plusieurs Madriers au [?] plancher den bas qui manquent demandant que le tout luy soit payé par led^{t} S^{r} dubuq suivant le memoire quil produit Et quil ofre de produire p^{r} temoin le S^{r} paul poupart a linstant le S^{r} paul poupart est comparû auquel nous avons fait faire sermant de dire la verite Et a dit quil Navoit aucunne connoissance que le s^{r} dubuque luy avoit promis du loyer quil ne lavoit pas Entendû. Le S^{r} dubuque a produit le S^{r} troge qui aprés avoir fait sermant a declaré quil avoit posé par ordre de M^{r} tabaud la Cloison de martin mais que en ayant fait une partie il luy a demandé de luy faire une Equiere, quil la aussi faite par ordre du M^{r} tabault et que led^{t} martin la Cloison faite navoit Rien dit aprés la cloison faite.

Sur quoy la Cour ne pouvant decider a renvoyé les parties a Se pourvoir pardevant des arbitres.

B^{te} DUMAY demandeur contre JEAN B^{te} BARON deffendeur

Le demandeur conclud a ce que le deffendeur luy payé la somme de Cent quatre vingt dix sept livres dix sols Sur quoy il a recû la s^{e} de Cent livres reste quatre vingt dix sept livres dix sols quil demande que led^{t} baron luy paye Sans delais.

Sur quoy les parties Se Sont arrangées.

FRANCOIS GEROSME demandeur contre JOSEPH BIGUIER dit GROSLE deffendeur

Le demandeur demande au deffendeur Soixante trois Boulins dune Cabanne que led^{t} deffendeur a Emprunte de la femme dud^{t} gerosme quil ait a les luy remetre de la meme grandeur et grosseur Et aux frais Et depens.

Led^{t} groslé a repondu quil ne devoit point de bois aud^{t} gerosme Et quil navoit aucun afaire avec luy que Setoit son fils qui avoit emprunté du bois quil pouvoit saranger avec luy a linstant est

[1] *Boulins*. This probably means the upright posts, grooved on two sides, which the French used in building their houses. These posts were set in the ground a few inches apart with the grooved sides together. The space thus left was filled with "cat and clay" — the cat being finely cut straw or moss — and the grooves prevented the filling from falling out. See illustration of a typical house of this description on opposite page.

House of François Saucier. Purchased for a courthouse in 1795.

From photograph by J. Siler of St. Louis, Missouri.

for rent of his partition; that he only said that he would have it returned to him in the same condition. Martin said that Dubuque had promised him a rent and that he would be contented; but instead of keeping these agreements he had spoiled his boards and his partition as well as several joists in the lower floor [?] which are missing; and he prays that all be paid to him by M. Dubuque according to the account which he produces; and he offers to produce Paul Poupar as witness. And now appeared M. Paul Poupar, whom we have made take oath to tell the truth, and who said that he never had any knowledge that M. Dubuque had promised rent, that he had never heard of it. M. Dubuque produced Mr. Troge who, after having taken oath, declared that he had by order of M. Tabeau put Martin's partition in place; but that, having made a part of it, the latter had asked him to make a balustrade for him; that he had also made it by order of Mr. Tabeau; and that the said Martin had said nothing after the partition was made.

Whereupon, the Court not being able to decide dismissed the parties to sue before arbitrators.

Bte. Dumay Plaintiff vs. Jean Bte. Baron Defendant.

The plaintiff concludes that the defendant should pay him the sum of one hundred and ninety-seven *livres* ten *sols* upon which he has received the sum of one hundred *livres;* and there remains ninety-seven *livres* ten *sols* which he asks that the said Baron pay him without delay.

Whereupon the parties came to an agreement.

François Gerosme, Plaintiff, vs. Joseph Biguier called Groslé Defendant.

The plaintiff demands of the defendant sixty-three grooved posts[1] for a cabin which the said defendant borrowed from the wife of the said Gerosme; and he says that he ought to return to him some of the same length and thickness, and pay costs and charges.

The said Groslé answered that he owed no wood to the said Gerosme and that he had no business with him; that it was his son who had borrowed the wood and he could settle with him.

intervenû michel peltier lequel aprés sermant par luy fait a dit que le fils de groslé luy avoit dit quil avoit Eu de la veuve giroux du

J B H LaCroix pr std.

bois p^r finir Sa maison Et quil devoit En rendre p^r finir la maison de ladite veuve jusques a son quarré sur quoy a deffaud de preuves sufisantes la Cour a renvoyé les parties a Se pourvoir pardevant m^r girardin command^t a la prairie du pont Et magistra pour aranger Les parties.

B^te CHARTRAN demandeur contre PIERRE TROGE

le demandeur reclame la somme de deux cent Cinquante livres a luy duee par pierre troge s^t son Billet Echu et aux frais Et depens. le deffendeur a dit navoir point de quoy payer quil ofroit de payer et demdoit [*sic*] Credy jusquaprés la recolte Et donneroit Cotion.

Sur quoy la Cour a accordé aud^t troge delais jusqua lundy prochain pour avoir le temps de vendre sa jument p^r payer faute de quoy ladite jument sera saisie et vendue pour payer le demandeur et au Cas quelle ne suffise pas Sera Saisy de Ses autres meubles p^r finir de payer condamnons troge aux frais qui seront avancés et payez par led^t Chartran.

LE S^r COURTOIS demandeur contre FRANCOIS RENOUSSE deffendeur

Le demandeur reclame la somme de Cent vingt livres Suivant Son Billet Echus. a lui due par francois Renousse Et aux frais Et depens.

Led^t francois Renousse a dit navoir point de quoy payer actuellement. la Cour a Condamné Le deffendeur a payer si mieux il naime sengager pour payer au prix du Cour des autres condamnons led^t Courtois aux frais.

La Cour est ajournée au premier juin 1787.

J B H LaCroix prsdt.

[1] At the bottom of the page and evidently signed by accident.

[2] *Quarré* or *carré* means all that square part of the house below the roof.

Now intervened Michel Pelletier who, after taking oath, said that the son of Groslé had said to him that he had obtained from the

J. B. H. LaCroix, Pres.[1]

widow Giroux some wood to finish his house; and that he was to return some to finish the house of the said widow up to the roof.[2] Whereupon the Court in default of sufficient proofs dismissed the parties to sue before M. Girardin, commandant and magistrate at Prairie du Pont, who will adjust the difficulty between them.

Bte. Chartran, Plaintiff, vs. Pierre Troge

The plaintiff lays claim to the sum of two hundred and fifty *livres* due him by Pierre Troge according to his note, which is due, with costs and charges. The defendant said that he did not have the means to pay, that he offered to pay and demanded credit until after harvest and would give surety.

Whereupon the Court granted the said Troge delay until Monday next to have time to sell his mare in order to pay; in default of which the said mare shall be seized and sold to pay the plaintiff, and in case that is not sufficient there shall be seized other goods to complete the payment. We condemn Troge to pay the costs, which shall be advanced and paid by the said Chartran.

M. Courtois, Plaintiff, *vs.* François Renoux, Defendant.

The plaintiff lays claim to the sum of one hundred and twenty *livres* according to the note, fallen due, which is owed him by François Renoux, with costs and charges.

The said François Renoux said that he did not have means to pay at present. The Court condemned the defendant to pay, unless he prefers to bind himself out for the payment at the current wage. We condemn the said Courtois to pay the costs.

The Court adjourned to the first of June, 1787.

J. B. H. LaCroix, Pres.

a une Cour tenue Extraordinairement le Sept de May mil sept cent quatre vingt sept.

M^rs Jean B^te LaCroix presidant Louis Chatel
ant. girardin Math. Saucier
Joseph Lapensée magistra

Entre JACOB GROOT demandeur contre JAQUES PIQUET habitant du grand Ruisseau deffendeur

Declaration dud^t jacob groot

a dit que lundy dernier trente davril il Etoit dans Son champ avec Sa femme a travailler. que Son fils ainé Etoit venû a luy pour luy dire que Lenfant de M^r piquet avoit Eté mordû par un Chien au visage que un instant aprés il est venû a leur fort avec Sa femme p^r voir lenfant que sa femme luy avoit dit quil feroit Bien de manger un morceau Et quaprés il iroit voir lenfant. que En entrant dans le fort il a entendu dire par des femmes ou denfans dont il nest pas certain que Setoit Son Chien qui avoit mordû lenfant, que aprés avoir mangé luy et sa feme ont voulû sortir pour aler voir lenfant que sortant de Sa porte il a vû le S^r piquet avec Sa Carabine a la main, que le S^r piquet les voyant sest arreté tout cour avec le feu dans le Visage et Changeant de Couleur deux ou trois fois, Enfin tramblant de Colere il a prononcé que Croyez vous faire avec votre Chien, le S^r groot a repondû quil ne savoit point mais que si Setoit juste que Son Chien Eu merité la morte quil le feroit tuer, led^t piquet luy a repondû si vous le tuez cela mevitera la peine de le tuer Et dans linstant Setant retourne il a apercû le Chien Et la Blessé avec Sa Carabine dont il est mort quelques jour aprés, le S^r piquet a resté ou il a tiré le Chien Et a rechargé Sa Carabine. la Femme du Deposant voyant cela a Sorti a la porte pour faire Entrer Ses enfans dans Sa maison. Et a dit que le — vous confonde pour quoy navez vous pas tués le Chien Roide Et pourquoy cette Garce de femme qui demeure ches vous n'a telle pas fait rester Ses Batard a la maison Et que si Ses Enfans avoient Etez

[1] In the session of March 7, 1780, p. 362 the names Piquet and Piggott are used to designate the same man.

[2] Several American families lived in a common block-house at Grand Ruisseau. The houses of the several families were situated within the stockade, and the scenes here described by the different witnesses shift from one of the private houses to the open court. For an account of Grand Ruisseau, see *Introduction*, pp. cxxii., cxlviii.

At a Court meeting in special session, May 7, 1787.

MM. Jean Bte. LaCroix, President. Louis Chatel.
Ant. Girardin. Matthieu Saucier.
Jos. Lapancé. Magistrates.

JACOB GROOT, Plaintiff, *vs.* JAMES PIGGOTT, inhabitant of Grand Ruisseau, Defendant.[1]

Declaration of the said Jacob Groot.

Said that on Monday last, the thirteenth of April, while he was in the field with his wife working, his oldest son came to him and said that the child of M. Piggott had been bitten in the face by a dog; that a moment after he went to the blockhouse[2] with his wife to see the child; that his wife had said to him that it would be better to have something to eat; and after that he might go to see the child. On entering into the blockhouse he had heard some women or children, he is not certain which, say that it was his dog which had bitten the child; that after having eaten, he and his wife wished to go out and see the child; that after he went out of his door he saw M. Piggott with his rifle in his hand; that M. Piggott upon seeing them stopped short with fire in his eyes and changed color two or three times, and finally trembling with anger uttered: "What do you intend to do with your dog?" M. Groot answered that he did not know; but that if it was true that his dog had merited death, he would have him killed. The said Piggott answered: "If you kill him that will spare me the trouble of killing him", and at the same moment turning around he saw the dog and wounded it with his rifle so that it died a few days after. M. Piggott stopped where he shot the dog and reloaded his rifle. The wife of the deponent, upon seeing that, went out of the door to make her children enter the house, and she said, "May the —— confound you! Why didn't you kill the dog stone dead, and why didn't that hussy of a woman who lives at your house make her bastards remain in the house? If her children had been legitimate, God would not have punished her in this fashion." Groot upon seeing that took his wife by the hand and made her sit on a chair. He deposes that Piggott answered: "God damn you! You call my children bastards,

legitimes que dieu ne Lauroit pas punie de cette façon, que groot voyant cela a pris Sa femme par la main et la faite assoir Sur une Chaise. que piquet avoit repondû que dieu vous damne, vous apelez mes enfants Batard jenveroy votre ame En Enfer, il a Entré dans la maison avec Sa Carabine a la main En tramblant m^r^ groot luy a dit de ne pas Entrer avec Sa Carabine dans la maison et de penser a ce quil vouloit faire Et de metre Sa Carabine En dehor de la porte le priant pour lamour de dieu de ne pas les tuer dans Sa maison, piquet a repondit adressant la parole a la fe[mm]e du deposant dieu vous damne jenveroy votre ame a leternité. En disant ces propos Piquet avoit Sa Carabine la Crosse apuyée sur le costé droit avec une main sur la platine Et lautre sur le Canon, le Bout tourné Sur le Sain de M^de^ Groot, que luy deposant a Entendu les ressort de la Carabine faire du bruit mais quil nest pas sur sil a raté Et dans linstant quil a entendû Craquer les ressorts de la Carabine piquet Setoit retourné Et a pris Sa Corne et a Ramorcé de frais Sa Carabine, luy deposant luy a dit p^r^ lamour de dieu de ne pas tuer Sa femme et de prendre garde a ce quil aloit faire Et de Sortir, dieu vous damne Sacré Coquin Bien Souvant vous mavez afronté je vous serviray de même, En disant cela piquet a tourné la teste du costé de la porte et a apercû un homme qui est le S^r^ Izaac West assis dans Sa porte qui Etoit vis a vis la porte de luy deposant. Et que avant de tourner la teste il avoit levé sa Carabine et avoit presenté le Bout a luy deposant quaussitot quil a apercû West il abaissé sa Carabine Et a sorty de la maison Et a pris le Chemin de Sa maison. Et luy deposant layant suivy. et luy a dit Croyez vous que cela merite Satisfaction. si vous le croyez metez votre carabine a part. mais que piquet navoit pas voulû. quil luy avoit repondu que de ce moment jusques au soir je penseray a ce que je feray. que voyant quil Etoit En danger de Sa vie luy et sa femme ne pouvant pas sortir de Sa maison Sans En craindre les suites il etoit venû pour en demander justice a la Cour. qui est tout ce quil a a dire que cest la pure verité. Jacob groot.

avons fait paroitre led^t^ jaques piquet lequel a dit que Son intention Etoit de tuer le Chien Si m^r^ groot ne prenoit pas sur luy

I will send your soul to Hell." He entered the house with his rifle in his hand, all in a tremble. M. Groot told him not to enter the house with his rifle and to think what he was going to do and to put his rifle outside the door; and he prayed him for the love of God not to kill them in his house. Piggott responded in answering the words of the deponent's wife: "God damn you! I'll send your soul to eternity." While saying these words Piggott had his rifle with the butt supported on his right side with one hand on the screw-plate and the other on the barrel, and the end pointed toward the breast of Madame Groot; and he, the deponent, heard the spring of the rifle make a noise, but he is not sure that there was a flash in the pan, and at the moment he heard the spring of the rifle crack, Piggott had turned and taken his horn and primed his rifle anew. He, the deponent, told him for the love of God not to kill his wife and to take care what he was going to do and to go out. "God damn you, you damned rascal, you have attacked me often enough, I will serve you the same way." In saying that Piggott turned his head toward the door and saw a man, M. Isaac West, seated in his doorway which was opposite the deponent's door; and that before turning his head he had raised his rifle and aimed at the deponent; that as soon as he perceived West, he lowered his rifle and went out of the house and started for his house; and that he, the deponent, followed him and said to him: "Do you believe that this deserves satisfaction? If you believe it, put your rifle down." But Piggott was not willing. That he had answered him: "From now till evening I will think of what I shall do." That he, the deponent, seeing that he and his wife were in danger of their lives and that they could not go out of their house without fear of the consequences, he had come to demand justice of the Court. This is all that he has to say and it is the simple truth.

Jacob Groot.

We summoned the said James Piggott, who said that his intention was to kill the dog, if M. Groot didn't take it upon himself to kill it; that there came a woman of the neighborhood who told him that Groot was not two hundred paces from his house,

de le tuer. quil est venû une de ses voisines qui luy a dit que groot netoit pas a deux cent pas de Chez luy lorsque le Chien a mordû son Enfans quil a Ete Environ deux heures a venir que le Chien a meme emporté un morceau du nez de lenfant. que groot Etant arrivé ches luy il y a Ete pour voir ce quil vouloit faire de Son Chien que groot luy avoit repondû quil etoit juste que Son Chien meure puisquil avoit mordû Son Enfan quil avoit deja averty groot que Son Chien avoit mordû deux ou trois personnes avant celui ci que cette fois netoit pas a disputer. que lors quil a tiré le Chien il la apellé En dehor du fort et quil la Blesse. que y ayant quelques enfans dehors ils ont ouvert la porte du fort le Chien ayant Rentré il a Chargé Sa Carabine pour la chercer de tuer. que Etant a la porte du fort il a rencontré madame groot qui lui a fait Beaucoup de reproches davoir blessé le Chien. que dans le tems il netoit pas Beaucoup en situation de donner Satisfaction a madame groot quil luy a dit achevez le Detuer vous meme, que Son intention Etoit toujours de le tuer, quil Croyoit que le Chien etoit entré ches son maitre, quil y Etoit Entré pour le faire sortir et p^{r} finir de le tuer. que si groot navoit chassé le Chien que son intention Etoit de le tuer luy meme dans la maison, sans faire tor a personne. que madame groot luy ayant dit de mauvais paroles En parlant et luy reprochant Ses Batard, il luy avoit dit que Son caractere Etoit meilleur que le Sien quil avoit dit a madame groot quelle Etoit une Sacrée Salope et quil enveroit Son Caractere En Enfer, que lors quil avoit dit cela M^{r} groot et sa femme avoit compris la Chose tout autrement Et quil setoient imaginez voyant Sa carabine quil avoit Envie de les tuer quil avoit mal Compris la Chose, quil Croit Sans en Etre Bien sur que jean solivant Etoit la plus grande partie du tems a la porte. quil na jamais manacé m^{r} groot ni personne de sa famille de leur faire aucun tor que ce na jamais Eté Son intention. qui est tout ce quil a a dire.

avons fait venir Izaac West temoins produit par le s^{r} groot lequel aprés sermant par luy fait de dire la verité a dit que lors que le Chien a mordû lenfant quil Etoit dans Son champ et quil a arrivé comme piquet sortoit de La maison de groot p^{r} tirer le Chien quil

when the dog bit the child; that he had been about two hours in coming; that the dog had bitten off a piece of the child's nose; that when Groot arrived at his house, he went there to see what Groot was willing to do with his dog, and that Groot had answered that it was just that his dog should die, since it had bitten his child; that he had already notified Groot that his dog had bitten two or three persons before this one; that this time was not to be disputed; that when he shot the dog, he called it outside the blockhouse, and that he wounded it; that there were some children outside and they had opened the door of the blockhouse, and that when the dog entered, he loaded his rifle to try to kill it; that when he was at the door of the blockhouse, he met Madame Groot who reproached him severely for having wounded the dog; that at the time he was not able to give satisfaction to Madame Groot; that he had said to her, "Finish killing it yourself;" that his intention was to kill it and that he believed that the dog had entered into its master's house; that he had entered there to drive it out and finish killing it; that if Groot had not chased the dog out, that it was his intention to kill it himself in the house without harming anybody; that Madame Groot had used bad words in speaking to him of it and in throwing his bastards in his teeth. He had said that his character was better than hers; and he had said to Madame Groot that she was a damned slut and he would send her character to Hell. He says that when he had said that, M. Groot and his wife had understood the thing quite differently, and that the former had imagined, because he had his rifle, that he wanted to kill them; that Groot had badly understood the thing; that he believed, without being very sure of it, that John Sullivan was most of the time at the door; that he never threatened to do any harm to M. Groot or any one of the family; that it was never his intention; which is all he has to say.

We summoned Isaac West as witness produced by M. Groot, who after taking the oath to tell the truth, said that when the dog bit the child, he was in his field, and that he arrived as Piggott was going out of Groot's house to shoot the dog; that Piggott called the dog out of the door of the blockhouse, where he shot it; that

a apellé le Chien hor de la porte du fort. ou il la tiré. que luy deposant a dit a piquet pourquoy il navoit pas tiré le Chien, que piquet lui a repondû j'ay assez de satisfaction a present Et je n'ay pas voulû le tuer. que piquet ayant rechargé sa Carabine a Eté dans la maison de groot. que luy deposant Etoit assis a Sa porte vis a vis celle de groot quil a vû Seulement que piquet avoit sa Carabine dans Ses mains Elevée Et En faisoit plusieurs mouvement Et entendoit parler avec force, mais quil na pû distinguer ce qui se disoit, Et quil Croyoit a tout moment Entendre tirer la Carabine que luy meme En Etoit hors de luy meme par la fureur dud^t^ piquet quil croyoit reelement que piquet aloit tuer quelq'un que aprés tous Ses mouvement il a vu piquet Se retourner Et ouvrir la baterie de Sa Carabine Et verser la poudre dans le Bassinet Et la morcer tout de frais. Et quapres quil a Eu amorcé la carabine il a Entendu quelque parole quil na pû comprendre et que piquet a sorty tout de suite. ajoute En outre que lors que piquet a Eté sorty que groot la suivy et quil luy a dit par lafront que vous mavez fait detre venû ches moy avec votre carabine metez la par terre et nous alons nous donner satisfaction. mais que piquet avoit refusé, que groot avoit dit puisque vous ne voulez pas je vais voir ce que je feray dicy a ce soir. qui est tout ce quil a dit savoir. lecture a luy faite de Sa declaration a dit Contenir verité y a persisté et a Signé.

Isaac West.

Veû par la Cour assemblée les declarations cy dessus Ensemble la deposition du temoin Izaac verst ladite cour a ordonné et ordonne que led^t^ jaques piquet donnera Bonne et suffisante caution a la satisfaction et demande dud^t^ jacob groot qui repondra par Sa personne et Ses Biens de tous les tor mal fait cele prejudice Et atantats que led^t^ jaques piquet pouroit Exercer tramer ou induire sur la vie dud^t^ groot de celle de Sa femme Et de Sa famille ainsy que de tous Ses autres Biens dont ladite Caution Solvable Sera Recue pardevant M^r^ Robert Wach commandant dud^t^ lieu du grand Ruisseau a la satisfaction dud^t^ groot auquel dit M^r^ Wach nous enjoignons de donner la main a lexecution de notre presente sentence Et de nous en informer condamnons les parties a

he, the deponent, asked Piggott why he had not killed the dog and that Piggott answered: "I have sufficient satisfaction now and I did not wish to kill it;" that Piggott had reloaded his rifle and was in Groot's house and that he, the deponent, was seated at his door opposite Groot's; and that he only saw that Piggott had his gun raised in his hands and was making several movements with it and he heard words of violence, but he could not distinguish what was said; and that he expected to hear the gun fired at any moment; that he was beside himself on account of the fury of the said Piggott; that he really believed that Piggott was going to kill some one; that after all these movements he saw Piggott turn, cock the hammer of his rifle and pour powder into the pan and he reprimed it; and after he had reprimed it, he heard some words which he could not understand, and that Piggott went out immediately. He adds, furthermore, that when Piggott went out, Groot followed him and said to him: "Because of the insult you have done me in coming to my house with your rifle, put it on the ground and we are going to have satisfaction;" but Piggott had refused; that Groot had said: "Since you are unwilling, I am going to see what I shall do between now and evening," which is all that he said he knew. Reading of his deposition was made to him and he said that it contained the truth and persisted in it, and he has signed.

Isaac West.

After consideration of the above affidavits, together with the deposition of the witness, Isaac West, by the assembled Court, the said Court decreed and does decree that the said James Piggott shall find good and sufficient surety to the satisfaction and demand of the said Jacob Groot, and that the bondsman shall be answerable in his person and his property for all wrongs, malefaction, concealed tort, and criminal attempts, which the said James Piggott may practise, plot or incite against the life of the said Groot, of that of his wife and of his family, or against his property, and for this the said solvent bondsman shall be received before M. Robert Watts, commandant of the said place of the Grand Ruisseau, to the satisfaction of the said

payer Chacun la moitié des frais Suivant le memoire qui sera produit par le grefier donné en Cour le huit may mil sept Cent quatre vingt sept.

[*Signed*]

a[t] Girardin	mth Saucier
marque de	marque de
+	+
Louis Chatel	joseph lapensée
Labuxiere grefier	J B H LaCroix prsdt.

a une Cour du premier juin mil sept Cent quatre vingt Sept.

M[rs] francois Saucier, antoine girardin, philipe angel, B[te] Saucier, Charles ducharme, Mathieu saucier Et pierre Laperche ont fait le Sermant doffice En qualité de magistrat p[r] la Nouvelle Nomination.

a la meme Cour

Thom Bredy a fait pareillement sermant doffice pour la Charge dhuissier de la Cour.

a la meme Cour

JEAN B[te] DUMAY demandeur contre Le S[r] MYER MICHAELS deffendeur

Le demandeur reclame vingt pots dhuille quil a ches le s[r] myer michaels.

Le deffendeur replique que led[t] dumay luy doit une somme dargent quil offre de luy remetre son huile En payant ce quil luy doit par son Billet En argent.

La Cour a ordonné que le s[r] maher gardera lhuille en deduction de ce quil luy est dub par le demandeur a raison de Cinq livres le pot prix du Cour, sauf aud[t] dumay den remetre le montant en argent au deffendeur condamne dumay aux frais.

a la meme Cour.

Sur une demande formée par le S[r] pierre Laperche p[r] obtenir une saisie sur deux Chevaux quil a dit apartenir au Nommé Chate-

[1] Piggott offered on May 18th the persons of Thomas Wine and Benjamin Rogers as bondsmen.—Chi. Hist. Soc., *Cah. Rec.*

Groot and we enjoin the said M. Watts to see to the execution of our present sentence and to inform us thereof. We condemn the parties to pay each the half of the costs according to the memorandum which will be furnished by the clerk. Given in Court the eight of May, seventeen hundred and eighty seven.[1]

[*Signed*]

Ant. Girardin.	Mt. Saucier.
Mark of	Mark of
+	+
Louis Chatel.	Joseph Lapancé.
Labuxiere, Clerk.	J. B. H. LaCroix, Pres.

At a Court, June 1st, 1787.

MM. François Saucier, Antoine Girardin, Philippe Engel, Bte. Saucier, Charles DuCharme, Matthieu Saucier and Pierre Laperche have taken the oath of office as magistrates by the new election.

At the same Court.

Thomas Brady has taken a like oath of office as *huissier* of the Court.

At the same Court.

JEAN BTE. DUMAY, Plaintiff, *vs.* M. MYER MICHAELS, Defendant.

The plaintiff claims twenty jugs of oil which he has at the house of M. Michaels.

The defendant answers that the said Dumay owes him a sum of money, and that he offers to return his oil if he pays that which is owing to him on his note in money.

The Court decreed that M. Michaels shall keep the oil which shall be deducted from that which is due him by the plaintiff at the rate of five *livres* the jug, which is the current price, reserving the right to the said Dumay to return the amount in money to the defendant, and condemned Dumay to pay the costs.

At the same Court.

On a petition drawn up by M. Pierre Laperche to obtain an attachment on two horses, which he said belong to the named Chatelrau, at present in possession of M. Mailhet at Cahokia,

lerau Entre les mains du s^r^ mailhet aux Cahôs. Et sur le sermant dud^t^ mailhet Et du S^r^ Champlin que les chevaux n'apartenoit pas aud^t^ chatelerau Nous avons levé la saisie sauf aud^t^ s^r^ p^re^ laperche a Se pourvoir sur les autres Biens dud^t^ Chatelerau.

La Cour est ajournée au 1^er^ juillet prochain.

f saucier.

a une Cour tenue Extraordinairement le treize juillet mil Sept Cent quatre vingt Sept.

M^rs^ francois Saucier Presidant	Charles ducharme
Atoine [*sic*] Girardin	Mathieu Saucier
B^te^ Saucier	pierre Laperche
Philipe angel	

Entre Le S^r^ Louis Lorimier demandeur contre Le S^r^ jean dumoulin deffendeur

Veu la requete presentée a la Cour par le s^r^ Louis Lorimier tendante a vu des domagement pour les saisies qui ont Eté faites a S^te^ genevieve et aux Cahos par m^r^ hugues yourd et celle faite aux Cahos par m^r^ dumoulin chargé de la procuration dud^t^ S^r^ hyourd.

ouy le le S^r^ dumoulin qui a dit que le s^r^ Lorimier Etoit Encore Redevable a la societe Et quil Seroit a meme de se faire alouer les des domagement, quil conviendroit que pour luy il netoit point chargé des affaires ny de la saisie qui avoit Eté faite a S^te^ genevieve avant sa procuration.

Sur quoy la Cour a renvoyé les parties a Se pourvoir devant des arbitres quil voudront Choisir soit Sur lun ou lautre Rive pour raison des demandes contenues En ladite Requete p^r^ le tout etre Examiné par les arbitres decider ce quil avisseront Bon Etre ainsy que p^r^ les frais et depens de justice deliberé aux Cahos led^t^ jour Et an.

[*Signed*]

B Saucier	a^t^ Girardin
DuCharme	pierre Lapeche
Mt. Saucier	f. saucier.
Phillipe Engel	
Labuxiere grefier.	

[1] Louis Lorimier was born in Canada in 1749, lived sometime on the Miami, Ohio, and founded the post at Cape Girardeau, Missouri, in 1794. He was appointed commandant of

and on the oath of the said Mailhet and M. Champlin that the horses do not belong to the said Chatelrau, we have raised the attachment, reserving the right to the said M. Pierre Laperche to sue on the other goods of the said Chatelrau.

The Court adjourned to the first of July next.

At a Court meeting in special session, July 13, 1787.

MM. President François Saucier	Charles DuCharme
Antoine Girardin	Matthieu Saucier
Bte. Saucier	Pierre Laperche
Philippe Engel	

M. Louis Lorimier[1], Plaintiff, *vs.* M. Jean Dumoulin, Defendant.

In view of the petition presented to the Court by M. Louis Lorimier, demanding damages for the seizures which have been made at Ste. Genevieve and at Cahokia by M. Hugh Heward and for that made at Cahokia by M. Dumoulin intrusted with the power of attorney from the said M. Heward.

Heard M. Dumoulin who said that M. Lorimier was still in debt to the partnership and that the latter should be able to have the damages allowed, which he would agree to. As for himself he was not intrusted with the business nor with the attachment, which had been made at Ste. Genevieve before his attorneyship.

Whereupon the Court dismissed the parties to sue before arbitrators, whom they shall choose from either side of the river, in regard to the prayers contained in the said petition so that all be examined by the arbitrators that they may decide what they consider just as well as the costs and charges. Decreed at Cahokia the said day and year.

[*Signed*]

B. Saucier.	Philippe Engel.
DuCharme.	At. Girardin.
Mt. Saucier.	Pierre Laperche.
F. Saucier.	Labuxiere, Clerk.

the post by the Spanish government. He was a fur-trader, and gained great influence over the Indians. He died June 26, 1812.—Rozier, *Early Settlement of the Mississippi Valley*, 170 *et seq.*

a une Cour du deux juillet mil sept cent quatre vingt sept.

M^rs fr saucier presidant — philipe angel
ant girardin — p^re Laperche
charles ducharme

ROBERT CAHORN demandeur contre FR GRAMONT deffendeur

Le demandeur demande contre le deffendeur le payement de son billet Echus montant a la somme de trois cent huit livres en argent payable En pelterie synifiée sur led^t billet suivant les prix y porté.

Le deffendeur a dit quil luy devoit quelque Chose Et quil avoit un compte a produire quil navoit pas de quoy payer actuellement quil offroit son Cheval. Et quil repetoit contre le S^r cahorn neuf piastres pour le loyer dun Cheval et une piastre p^r le loyer dune journée de son sauvage le tout formant Cinquante livres.

sur quoy la Cour a condamné led^t gramont a payer son Billet suivant son contenû Et ce sans delais a la deduction des Cinquante livres quil repete a quoy led^t Gramont sera Contraint Et condamné aux frais Et depens donné En Cour lesd^t jour Et an.

a la meme Cour.

LE S^r WALE demandeur contre PHILIPE GERVAIS deffendeur

le demandeur demande contre le deffendeur le payment de Son billet Echû montant a la somme de Cent quinze livres en argent ou pelterie.

Le deffendeur a dit quil reconnoit led^t billet mais quil ne pouvoit le payer actuellement Et quil navoit pas de quoy.

La Cour a condamné led^t philipe gervais a payer le montant de Son Billet Et aux frais et depens. donné En Cour lesd^t jour Et an.

a la meme Cour.

LE S^r WALE demandeur contre ANTOINE LAMARCHE deffendeur

Le demandeur demande le payement de Son Billet de Soixante quatre livres le deffendeur a offert de le payer sous ce mois icy

At a Court, July 2. 1787.

MM. Fr. Saucier, President. Philippe Engel.
Ant. Girardin. Pierre Laperche.
Charles DuCharme.

ROBERT CAHORN, Plaintiff, *vs.* FR. GRANDMONT, Defendant.

The plaintiff brings suit against the defendant for the payment of his note, which has fallen due, amounting to the sum of three hundred and eight *livres* in money payable in peltries as declared on the said note, according to the prices stated thereon.

The defendant said that he owed the plaintiff something and that he had an account to produce; that he didn't have the means to pay at present; that he offered his horse; and that he claims from M. Cahorn nine *piastres* for the hire of a horse and a *piastre* for a day's wage of his savage, the whole amounting to fifty *livres*.

Whereupon the Court condemned the said Grandmont to pay his note according to its content, after deducting the fifty *livres* which he claims, and this without delay, to which the said Grandmont shall be constrained and condemned to pay cost and charges. Given in Court the said day and year.

At the same Court.

M. WALE, Plaintiff, *vs.* PHILIPPE GERVAIS, Defendant.

The plaintiff brings suit against the defendant for the payment of his note, already matured, amounting to the sum of one hundred and fifteen *livres* in money or peltries.

The defendant said that he acknowledged the said note, but that he could not pay it now, and that he didn't have the means.

The Court condemned the said Philippe Gervais to pay the amount of his note with costs and charges. Given in Court the said day and year.

At the same Court.

M. WALE, Plaintiff, *vs.* ANTOINE LAMARCHE, Defendant.

The plaintiff demands the payment of his note for sixty-four *livres*. The defendant offered to pay it during this month be-

dicy a la Cour prochaine, la Cour a acordé ce delais du Consentement des parties donné lesd^{t} jour et an.

La Cour est adjournée au 1er aoust 1787.

fr. saucier. pres^{d}.

a une Cour du 1er aoust mil sept cent quatre vingt Sept.

M^{rs} fr. Saucier presidant	p^{re} Laperche
antoine girardin	Philipe angel
Charle ducharme	Mathieu Saucier

Entre LAFEMME ROCH demanderesse contre LOUIS LAMBERT deffendeur

La demanderesse reclame Son fils quelle a mis Ches le deffendeur jusqua lage de 18 ans aleguand que son fils Est Extropié dun Coup de hache quil est mal penssé Et negligé Et que les poux et vermine le mange demandant que le deffendeur luy remette son fils.

Le deffendeur a desnie le tout et a dit que led^{t} Enfant Etoit Bien signe Et quil En avoit tous les Soins possible.

La Cour renvoy laffaire devant M^{r} girardin p^{r} examiner sur les lieux la Verité des faits Et decider ce que de Raison.

La Cour est ajournée au 1er 7^{bre} 1787.

fr. saucier.

a une Cour du 1er Septembre mil sept cent quatre vingt Sept.

M^{rs} fr saucier	B^{te} Saucier
ant^{e} girardin	Math. saucier
philipe angel	p^{re} Laperche

FRANCOIS GEROSME demandeur Contre JOSEPH BIGUIER dit GROSLE deffendeur.

Le demandeur repete la Somme de Cent livres quil dit etre dub a sa femme restant de celle de deux Cent livres quil luy devoit. Le deffendeur a repondu quil avoit payé par un compte quil a produit Excedant ladite somme de Cent livres. dont ledit Compte examiné de la veu du demandeur il revien Cinq livres au deffendeur p^{r} sa femme tous comptes deduit. la Cour a condamné le demandeur a payer au deffendeur Cinq

tween now and the next Court. The Court granted this delay with the consent of the parties. Given the said day.

The Court adjourned to August 1, 1787.

At a Court, August 1, 1787.

MM. Fr. Saucier, President.	Pierre Laperche.
Antoine Girardin.	Philippe Engel.
Charles DuCharme.	Matthieu Saucier.

The woman Roch, Plaintiff, *vs.* Louis Lambert, Defendant.

The plaintiff claims her son, whom she placed in the house of the defendant until he should be 18 years old, pleading that her son is mained by a stroke of an axe, that he is badly fed and is neglected, and that lice and vermin are eating him; and she demands that the defendant should restore her son to her.

The plaintiff denied all and said the said child was well fed and that he had all possible care.

The Court referred the cause to M. Girardin to examine on the spot the truth of the facts and to decide what is just.

The Court adjourned to Sept. 1, 1787.

Fr. Saucier.

At a Court, September 1, 1787.

MM. Fr Saucier.	Bte. Saucier.
Ant. Girardin.	Math. Saucier.
Philippe Engel.	Pierre Laperche.

François Gerosme, Plaintiff, *vs.* Joseph Biguier, called Groslé, Defendant.

The plaintiff demands the sum of one hundred *livres* which he says is due his wife being the balance of two hundred *livres* which the defendant owed her. The defendant answered that he had paid, according to an account which he exhibited, more than the said sum of a hundred *livres*, by which said account, examined with the acknowledgement of the plaintiff, there should be five *livres* returned to him by the wife of the plaintiff, after all accounts are deducted.

livres. Et aux frais Et depens liquidez a vingt livres se qui sera executé.

frais

p^r 1 ordre a Biguier..... 5 lb
1 ordre a antaya..... 5
p^r lhuissier qui a porte les 2 ordres... 10
p^r la sentence..... 5

25 lb

a la meme cour.

Le S^r CLAMORGAN demandeur Contre Le Nomme DUCHESNAU deffendeur

Le demandeur demande au deffendeur le payement dun Billet de la Somme de Cent Soixante Cinq livres en pelterie a luy transporté par louis Chateleraud. ledit billet Exibé a la cour Echus. ouy le deffendeur qui a dit quil avoit deja offert de payer mais que lon navoit pas pû luy produire son billet alequant quil Etoit perdû Et quil avoit deja donné un acompte au S^r Labadie sur une Copie dud^t billet par ordre de M^r Crouzat Commandant de S^t Louis. sur quoy la cour a Condamne le deffendeur a payer au demandeur le montant de Son Billet sauf Son remboursement Sur le s^r Labadie qui Sera fait au S^r Clamorgan En acompte sur led^t Billet. donné aux Cahos led^t jour 1^er 7^bre 1787.

La Cour est adjournée au 1^er 8^bre 1787.

fr. saucier Presd^t.

a une Cour du premier octobre mil Sept cent quatre vingt Sept.

M^rs francois Saucier presidant. Philipe angel
ant^e girardin Charles Ducharme
B^te Saucier p^re Laperche
Math. Saucier magistrats

JEAN BTE MOREL demandeur contre IGNACE CHATIGNY deffendeur

Le demandeur a produit un compte a la charge du deffendeur montant a la somme de dixhuit Cent Cinquante huit livres dix sols En argent.

The Court condemned the plaintiff to pay five *livres* to the defendant and costs and charges which are set at twenty [twenty-five?] *livres*, for which there will be execution.

Costs.

To 1 order to Biguier ..... 5 lb
1 order to Antaya..... 5
To *huissier* who carried the orders 10
To the judgment 5

25 lb

At the same Court.

M. Clamorgan, Plaintiff, *vs.* the named Duchesnau, Defendant.

The plaintiff demands of the defendant payment of a note for the sum of one hundred and sixty-five *livres* in peltries assigned to him by Louis Chatelrau. The said note, already due, was exhibited to the Court. Heard the defendant who said that he had already offered to pay; but that they had not been able to produce his note, alleging that it was lost; and that he had already paid an installment to M. Labadie on a copy of the said note by order of M. Cruzat, commandant at St. Louis. Whereupon the Court condemned the defendant to pay to the plaintiff the amount of his note, saving his reimbursement by M. Labadie, which shall be paid to M. Clamorgan as an installment on the said note. Given at Cahokia the said day, September 1, 1787.

The Court adjourned to October 1, 1787.

Fr. Saucier. Pres.

At a Court, October 1, 1787.

MM. François Saucier, President. Philippe Engel
Ant. Girardin Charles DuCharme
Bte. Saucier Pierre Laperche
Matt. Saucier Magistrates

Jean Bte. Morel, Plaintiff, *vs.* Ignace Chatigny, Defendant.

The plaintiff exhibited an account charged to the defendant amounting to the sum of eighteen hundred and fifty-eight *livres* ten *sols* in money.

Le deffendeur ayant contesté plusieurs articles relatif au commerce quils ont fait a Kumberla Et dans leur voyage que la Cour na pas Eclairier et quelle ne Croit pas pouvoir decider plainement. Elle Renvoy les deux parties a Se Nommer chacun un arbitres pour decider de leur contestations depens reservez jusques a la sentence arbitrale qui sera homologué par la Cour.

La Cour est ajournée au 2. 9bre 1787.

fr. saucier Presidt.

a une Cour du 2. 9bre 1787.

Mrs frs Saucier presidant philipe angel
antoine girardin mathieu Saucier

a la dite cour a Eté homologué Et Ratifier la Nomination Et Election dune Cour a la belle fontaine Et officier de milice comprenant les habitants recident [?] De la Riviere de Laigle. En se Conformant a la decizion de la Cour. du 1er octobre dernier.

a la meme Cour.

Nicolas Schemitz a fait Sermant dofice de juge a paix pr le grand Ruisseau.

a la meme Cour William Biggs a fait Sermant doffice pr juge a paix a la Belle fontaine.

a la meme Cour.

Le Sr ARONDEL demandeur Contre JOSEPH VAUDRY son Engagé

Le demandeur a presente une requete portant que le deffendeur son Engagé cherche a le quiter quil requiere que ledt vaudry luy payé quatre cent quarante quatre livres quil luy doit Et de luy fournir un homme capable de le remplacer. ou quil Continue son voyage Sous une Caution suffisante Sur quoy ledt vaudry a repondu quil Etoit trop mecontent de la societe mais quil ne se plaignoit pas du sr arondel Et quil ne vouloit plus rester sur quoy la cour a Condamné ledt vaudry a payer la somme ici dessus pr

[1] See *Introduction*, p. cxlix.

[2] William Arundel was an Irish merchant from Canada. He resided at Peoria for a time, then moved to Cahokia and later to Kaskaskia, where he died in 1816.— Reynolds, *Pioneer History*, 102.

The defendant having disputed several articles relative to the business which they had made in Cumberland and on their journey, which the Court was not able to clear up and which it believes itself unable to decide completely, the Court dismissed the two parties to name each an arbitrator in order to decide their disputes, costs being reserved until the verdict of the arbitrators, which will be confirmed by the Court.

The Court adjourned to November 2, 1787.

Fr. Saucier Pres.

At a Court, November 2, 1787.

MM. Fr. Saucier, President Philippe Engel.
Antoine Girardin. Matthieu Saucier.

At the said Court was confirmed and ratified the nomination and election of a court at Bellefontaine and an officer of militia which includes the inhabitants residing on the Eagle River, in conformity with the decision of the Court of the 1st of October last.

At the same court.

Nicolas Smith made oath of office as justice of peace for the Grand Ruisseau.

At the same Court William Biggs took the oath of office as justice of the peace at Bellefontaine.[1]

At the same Court.

M. Arundel,[2] Plaintiff, *vs*, Joseph Vaudry, his employé.

The plaintiff presented a petition, which declares that the defendant, his engagé, is seeking to leave him and he prays that the said Vaudry pay him four hundred and forty-four *livres* which he owes and furnish the plaintiff a man capable of replacing him, or that he continue his journey under sufficient bond. Whereupon the said Vaudry answered that he was too discontented with the company; but that he did not complain of M. Arundel; and that he did not wish to remain longer. Whereupon the Court condemned the said Vaudry to pay the above sum for his account and to furnish a man in his place to the said M. Arundel, and ordered that he be held in prison until he

son compte Et a fournir un homme En sa place aud^t S^r arondel et tiendra prison jusqua ce quil a y trouvé caution suffisante Et le condamnons aux frais Et depens.

La Cour est ajournée au 1^er decembre prochain.

fr. saucier

Du 12. 9^bre 1787.

a une Cour tenue Extraordinairement.

M^rs fr Saucier presidant	B^te Saucier
ant, girardin	Math. saucier
Philipe angel	Et p^re Laperche

Le S^r JEAN B^te LACROIX au Nome Et Comme fondé de la procuration de P^re LAFLEUR Et de celle de THOM BRADY *huissier* demandeur Contre

La SUCCESSION de deffunt AUGUSTIN DUBUQ.

ouy led^t S^r jean B^te LaCroix p^r led^t pierre Lafleur concluand a ce que la Sucession de deffunt augustin dubuque luy paye les domage quil luy a Causé par un baril de poudre qui a fait sauter Sa maison la perte de Ses meubles les pensements du Chirugien tant p^r luy que pour sa femme Blessé dangerusem^t loger de sa maison et autres domages quil soufre Le tout examiné et la Cour ayant plaines Connoissance de la maison qui a Sauté par les depositions des temoins. La Cour a ordonné et ordonne que la Sucession dud^t s^r dubuque payera priviligierement la maison le prix quelle a Coute. qui est de Seize Cent livres En argent quil sera fait un Etat sermanté par led^t lafleur des Effets Et meubles quil a perdû et qui se sont trouvez Cassés dans sa maison qui a Saute, par deux arbitres Nommez par la Cour qui presteront sermant p^r leur estimation etre payé par ladite Sucession, quil luy sera payé le memoire du Chirugien tant pour luy que p^r sa femme jusqua parfaite guerison, quil luy sera aloué p^r ses journées depuis que sa maison a Sauté Et p^r pertes du son tems la somme de trois Cent livres. Et p^r tout loyers de maisons. Et autres repetitions la somme de Cent Cinquante livres une fois payé au

[1] If the arrest was for debt instead of for the desertion, this is the first case of such imprisonment in the *Record*. It was due to the increasing influence of the Americans. French law did not permit imprisonment for debt to a private person except for special causes, and then only after a lapse of forty days after the rendering of judgment.— *Ordinance* of Louis XIV., April, 1667, in Isambert, *Anciennes lois françaises*, xviii., 172.

has found sufficient surety therefor[1]; and we condemn him to pay the costs and charges.

The Court adjourned to the 1st of December next.

Fr. Saucier

November 12, 1787.

At a special session of the Court.

MM. Fr. Saucier, President. Bte. Saucier.
Ant. Girardin. Matt. Saucier.
Philippe Engel. and Pierre Laperche.

M. Jean Bte. Lacroix, attorney of Pierre Lafleur and of Thomas Brady, *Huissier*, plaintiff,

vs.

the Estate of the deceased Augustin Dubuque.

Heard the said M. Jean Bte. Lacroix, for the said Lafleur, who concludes that the estate of the deceased Augustin Dubuque should pay him for the damages which Dubuque caused by a barrel of powder which blew up his house, for the loss of his personal property, and for the dressing of the wounds by the surgeon not only his own but those of his wife who was dangerously injured, and for the rent of his house and for other damages, from which he suffers. After all was examined and the Court had complete knowledge of the house, which was blown up, from the testimony of witnesses, the Court decreed and does decree that the estate of the said M. Dubuque shall pay by preference its cost price, sixteen hundred *livres* in money; that there shall be made a sworn statement by the said Lafleur of the goods and chattels, which he lost, and an appraisal of those which are broken in his house, which was blown up, by two arbitrators named by the Court, all of which is to be paid by the said estate; that there shall be paid the bill of the surgeon as well for his as for his wife's care until their perfect cure; that there shall be allowed him for his day's wages, for the loss of his time since his house was blown up, the sum of three hundred *livres*, and for all rent of houses and other claims the sum of one hundred and fifty *livres*, in full satisfaction for all damages up to the present time. The said house

moyen du present des domagement la dite maison sautee avec tous Ses materaux Et terain Et tout ce qui y est ataché a la reserve des Clostures que lafleur En levera, Resteront p^r^ le compte de la sucession dud^t^ s^r^ dubuque Et quand au Regard de thom Bredy la Cour luy aloue sur la dite sucession dix livres par jour pendant deux mois a compter du jour que la maison a Sauté Et le payement des hardes quil avoit sur le Corp lors quil a sauté au dire dexpert Et En outre les frais du chirugien pensement traitement Et medicament p^r^ tous des domagements Condamné la Sucession En tous les frais de present extraordinaire ce qui sera Executé Et permis aux dits demandeurs de prendre En acompte ou p^r^ tout sil le jugent a propos des effets a lencan de la succession lors que la vente sen sera au plus offrant et dernier Encherisseur donné En Cour led^t^ jour 12.9^bre^ 1787.

[*Signed*] a^t^ Girardin — pierre Laperche
Phillipe Engel — mth Saucier
B Saucier — f. saucier
Labuxiere grefier

a une Cour du 1^er^ decembre 1787.

M^rs^ fs. Saucier presidant
ant girardin — Math. Saucier
Philipe angel — p^re^ Laperche
B^te^ saucier

M^r^ ant^e^ Reilhe sest presente a la Cour comme fonde de procuration du s^r^ pierre Gamelin Creancier de deffunt augustin dubuque Comme dernier Equipeur Suivant les pieces quil a produit a la dite Cour. Et Sa requete du 9.9^bre^ dernier apointée par M^r^ saucier presidant.

La Cour ayant murement Examine Elle a recûe le s^r^ Reilhe en sa dite qualité au Nombre des Creanciers de Canada. Et a decidé Et decide que toutes les debtes crées aux cahos Et sur cette partie.

[1] The settlement of the estate of Augustin Dubuque occupies the attention of the Court for many sessions. See pp. 313, 323, 371, 375, 378, 393, 429, 513. Dubuque was a trader from Canada and was probably from the same family as Julien Dubuque, the first settler in what is now Dubuque, Iowa.—Tassé, *Les Canadiens de l'ouest*, i, 239. From the records of the various cases against his estate, it appears that Augustin Dubuque died on November 8, 1787, from the effects of an explosion of a keg of gunpowder. His wife, Archange Pratte, was living in Canada at the time of the accident, and in later cases her rights in the estate were carefully safeguarded by the Court.

which was blown up with all its materials and land and all that which is attached to it, with the exception of the fences which Lafleur shall clear away, shall stand to the account of the estate of the said M. Dubuque. And as regards Tom Brady the Court allows him from the said estate ten *livres* a day for two months counting from the day that the house was blown up and the payment of the clothing which he had on his body, when he was blown up, on an appraisal by experts and furthermore the cost of the surgeon for bandages, treatment and medicine, in full satisfaction. The Court condemned the estate to pay all the costs of the present special session, for which there will be execution. And permission is given to the said plaintiffs to take as installments or for the whole amount, if they judge it expedient, goods at the auction of the estate, when sale shall be made thereof to the highest bidder. Given in Court the said day, November 12, 1787.[1]

[*Signed*] Ant. Girardin. Pierre Laperche.
Philippe Engel. Matt. Saucier.
B. Saucier. F. Saucier.
Labuxiere, Clerk.

At a Court, December 1, 1787.

MM. Fr. Saucier, President.
Ant. Girardin. Matt. Saucier.
Philippe Engel. Pierre Leperche.
Bte. Saucier.

M. Ant. Reilhe presented himself in Court as attorney of M. Pierre Gamelin, creditor of the deceased Augustin Dubuque and last furnisher of supplies, according to documents which he exhibited to the said Court and his petition of the 9th of November last, referred by M. Saucier, President.[2]

The Court, after careful examination, received M. Reilhe in his said title among the number of creditors from Canada. And it decided and does decide that all debts made at Cahokia and on this side, which the Court has ordered to be paid and those which it may order paid in the future, which shall appear legitimate,

[2] Among western traders the last furnisher of supplies was a preferred creditor. Pierre Gamelin was a prominent citizen of Vincennes and played a very important part in the history of that village during this period.—Dunn, *Indiana, passim.*

que la Cour a ordonné Etre payées et celle quelle ordonne par la suite qui luy paroitront legitimes seront payées provisoirement, privilegierement Et specialement. tant frais fait que autres de recouvrement du chargé de ladite succession. Et que comme lencan des meubles Et Effets de ladite sucession a Eté fait au terme du mois davril 1789. lors que led^t^ recouvrement sera fait les Creanciers de Canada misilimakinac Et autres hor de notre district Nommeront Entreux un sindic a qui il Sera Remis le Relequat restant de ladite sucession. toutes fois les debtes contractés En notre district liquidées lesquels Sarrangeront Entreux pour leurs affaires concernant le Reliqua de ladite sucession. Et quil sera donné avis a la dame veuve dubuque par le s^r^ Labuxiere chargé de ladite sucession a la dame veuve dubuque dEnvoyer ses droits quelle a a pretendre si toute fois Elle en a pour etre privilegierement a Elle delivre sur le restant de ladite sucession si toutes fois Elle ne les a pas Recû En Canada. Et jusques aud^t^ tems toute la Sucession restera En lEtat quelle est a la gestion du S^r^ Labuxiere Et qui agira selon quil luy sera ordonné par la Cour. Et que comme il se presente plusieurs Creanciers qui pretendent avoir tous droits de privilege. la Cour na pas jugé a propos den prendre Connoissance Et Sarangeront Entreux aprés quelle aura Recû des nouvelles de madame dubuque p^r^ tous recour Enver Elle ou la Sucession dud^t^ deffunt ainsy quil avizeront. Et ne sera tenu led^t^ S^r^ Labuxiere de Linsolvabilité des debiteurs ny de leur depart Furtiv En faisant par luy ce quil poura p^r^ linteresst de ladite sucession Et quant aux Billets invantoriez il tachera den assurer le payement par ceux qui les doivent p^r^ etre payez au terme de Lencan atendu quil ny a pas dargent sur la place Et que Lon ne peu recevoir de danrées.

fait et donné En cour led^t^ jour 1^er^ decembre mil sept cent quatre vingt sept.'

[*Signed*]

a^t^ girardin	mh Saucier
B Saucier	pierre Lapeche
Phillipe Engel	fr saucier

La Cour est adjournée a 1^er^ janvier 1787 [*sic*]

fr. saucier.

shall be paid provisionally, by preference and specially, as well as the costs incurred and the other costs of recovery, by the trustee of the said estate: and that, since the auction of goods and chattels of the said estate has been set for the term of the month of April, 1789, at which the recovery shall be made, the creditors from Canada and Michillimackinac and others outside of our district shall name among them a syndic, to whom there shall be remitted the balance which remains from the said estate — however after the debts contracted in our district have been paid — which creditors shall make arrangements among themselves for their business concerning the balance of the said estate; and that notice shall be given Madame Dubuque, widow, by M. Labuxiere, trustee of the said estate, to send whatever just claims she has to make, provided she has any to be paid to her by preference from the balance of the said estate, and provided she did not receive payment in Canada. And up to the said time all the estate shall remain in the state it is under the administration of M. Labuxiere and he shall act according as he shall be ordered by the Court. And as there have presented themselves several creditors, all of whom pretend to have privileged rights, the Court has not judged it expedient to take notice of them and they shall make arrangements among themselves, after the Court shall have received news from Madame Dubuque, for all recourse against her or the estate of the deceased even as they shall determine. Nor shall the said M. Labuxiere be held for the insolvency of the debtors nor for their secret departure, while doing what he can for the interest of the said estate; and as to the inventoried notes he shall endeavor to assure the payment thereof by those who owe them and they are to be paid at the time of the auction, seeing that there is no money in the market and one cannot receive payment in kind.

Made and given in Court the said day, December 1, 1787.

[*Signed*]

Ant. Girardin.	Matt. Saucier.
B. Saucier.	Pierre Laperche.
Philippe Engel.	Fr. Saucier.

The Court adjourned to January 1, 1788.

Fr. Saucier.

a la meme Cour.

donne un ordre a la demande de la dame janot lapensée qui ordonne a joseph Lapensée de veiller a la conservation des Biens de Ses Enfans En qualité de Subrogé tuteur Et ce quil ne soit Rien dissipée a peine dEn repondre En son Nom led^{t} ordre a luy signiffie par ladite dame janot la pensée ce dit jour.

a^{t} Girardin.

a une Cour du deux janvier mil sept cent quatre vingt huit.

Les S^{rs} antoine girardin presidant — Charles ducharme
Philipe angel — pierre Laperche

a ladite cour assemblée le S^{r} francois Lapensée a Eté recû magistra au lieu et place du S^{r} francois Saucier absent et prêté le Sermant doffice En consequence.

a la meme Cour.

francois Lonval fils a presente une requete pour de demander des domagements contre la Sucession de deffunt augustin dubuque disant avoir eté Blesse lorsque la maison de lafleur a Saute par les poudre dud^{t} dubuque.

La cour la debouté de sa demande comme accident imprevû.

La Cour est ajournée au l^{er} fevrier.

a^{t} girardin pres.

a une Cour du premier fevrier mil sept cent quatre vingt huit.

M^{rs} antoine girardin presidant — Math. Saucier
B^{te} Saucier — P^{re} LaPerche
Philipe angel — fr. Lapensée
Charle ducharme

Entre le S^{r} WILLIAM ARONDEL marchand voyageur demandeur
Contre LEON LEPAGE deffendeur.

Le demandeur requierre que le deffendeur lui payé Son billet Echû de la somme de deux cent vingt une livres dix huit sols avec Linterest et frais.

Le deffendeur a repondû N'avoir de quoy payer pour le present.

Sur qouy la Cour a condamné led^{t} Leon Lepage a payer le demandeur dicy a Son depart ou de luy donner des assurances

At the same Court.

Issued on the prayer of Madame Janot Lapancé a mandate which orders Joseph Lapancé, in his office of surrogate guardian, to look to the preservation of the property of her children, and to see to it that there be nothing wasted on pain of answering for it in his own name. The said mandate was served on him by the said Madame Janot Lapancé this day.

Ant. Girardin.

At a Court, January 2, 1788.

MM. Antoine Girardin, President. Charles DuCharme
Philippe Engel Pierre Laperche

At the said Court M. François Lapancé has been received as magistrate in place of M. François Saucier absent, and has taken oath of office in consequence.

At the same Court.

François Lonval jr. presented a petition, demanding damages from the estate of the late Augustin Dubuque, claiming to have been wounded when the house of Lafleur was blown up by M. Dubuque's powder.

The Court denied his prayer since the accident was unforeseen.

The Court adjourned to February 1,

Ant. Girardin Pres.

At a Court, February 1, 1788.

MM. Antoine Girardin, President. Matt. Saucier.
Bte. Saucier. Pierre Laperche.
Philippe Engel. Fr. Lapancé.
Charles DuCharme.

Mr. William Arundel, traveling trader, Plaintiff, vs. Leon Lepage, Defendant.

The plaintiff demands that the defendant pay him his note, which is due, for the sum of two hundred and twenty-one *livres* eighteen *sols* with interest and costs.

The defendant answered that he had not the means of paying at present.

Whereupon the Court condemned the said Lepage to pay the plaintiff between now and the time of his departure or to

pour recevoir son payement aud^{t} tems faute de quoy la presente sentence sera mise a execution contre le deffendeur.

la Cour la condamné aux depens.

La Cour est ajournée au 1er mars 1788.

a^{t} Girardin.

a une Cour tenue extraordinairement le 21 fevrier 1788.

M^{rs} antoine girardin Presidant.	B^{te} Saucier.
Philipe angel.	p^{re} Laperche.
Mathieu Saucier.	charle ducharme.

Entre JEAN BTE FELIX demandeur Contre FRANCOIS LAPENSÉE deffendeur

Le demandeur presente une requete contre Le Nommé René Bouvet exposant quil a fait Echange de Bien avec le Nomme René Bouvet party pour le canada pour recevoir Et se metre en posession du bien que led^{t} philix luy a echangé le quel Bien led^{t} philix a a eux des nouvelles Certaines quil avoit Eté remis aud^{t} René Bouvet par une lettre quil a reçû de son tuteur qui luy marque daler recevoir son Bien ladite requete jointe cy contre. demandant que francois lapensée ay a vuider ses mains entre les siennes des Billets obligations et autres Creances que led^{t} bouvet luy a laisse en depot p^{r} luy etre delivré En Echange du bien que led^{t} felix luy aceddé a sorel en Canada puisquil est certain que led^{t} Bouvet a reçû le Bien Echange.

Vu la Convention faite entre led^{t} Bouvet Et led^{t} felix au bas de leur contract dechange par lequel led^{t} Bouvet soblige decrire lauthomne de 1787 de missilimakinac a francois lapensée sil a reçû le Bien ou sil ne la pas reçû ou sil y a aparance de Le recevoir ce que led^{t} Bouvet a manqué de faire jusqua present Et a seulement Ecrit une lettre a fr. lapensée de luy livrer quelque Billets Echus a Noel dernier. la Cour Etant dans lopinion que led^{t} bouvet a pris posession du Bien Echange par son silence de donner avis aud^{t} La pensée ce qui fait souffrir un retard et un tor Considerable aud^{t} felix. le tout consideré Ladite cour a condamné led^{t} francois Lapensée de vuider Les mains de toutes les Creances deposées entre ses mains par led^{t} Bouvet entre celles

give him assurances of receiving his payment at the said time; in default of which the present judgment shall be put in execution against the defendant.

The Court condemned him to pay the charges.

The Court adjourned to March 1, 1788.

Ant. Girardin.

At a Court meeting in special session, February 21, 1788.

MM. Antoine Girardin, President.	Bte. Saucier.
Philippe Engel.	Pierre Laperche.
Matthieu Saucier.	Charles DuCharme.

JEAN BTE FELIX, Plaintiff, *vs.* FRANÇOIS LAPANCÉ, Defendant.

The plaintiff presents a petition against the named René Bouvet, in which he shows that he made an exchange of property with the named René Bouvet, who has gone to Canada in order to receive and put himself into possession of the property which the said Felix exchanged with him; and the said Felix has had certain news that it had been delivered to the said René Bouvet from a letter which he has received from his guardian, who informs him that he is to go and receive his property; and he presents the said petition joined here opposite, in which he demands that François Lapancé should be obliged to deliver into his hands the notes, obligations and other claims, which the said Bouvet left with him on deposit to be delivered to the plaintiff in exchange for the property which the said Felix transferred to him at Sorel in Canada, since it is certain that the said Bouvet has received the property exchanged.

In view of the agreement made between the said Bouvet and the said Felix at the bottom of their contract of exchange according to which the said Bouvet pledged himself to write in the autumn of 1787 from Michillimackinac to François Lapancé, if he received the property or if he did not receive it or if there was likelihood of receiving it, a thing which the said Bouvet has failed to do up to the present—he has only written a letter to Fr. Lapancé asking the latter to deliver him some notes due last Christmas—the Court is of the opinion that the said Bouvet has taken possession of the property exchanged, judging from his neglect to give

dud^{t} philix dont il sera Bien et valablement decharge Enver led^{t} Bouvet et tous autres Et retiendra seulement par Ses mains le montant des sommes qui lui ont Eté saisies par ordre de cette Cour dues par led^{t} felix pour en Compter aux saisissant Retiendra pareillement les frais de saisies qui ont Eté fait Et de Requetes a payer avec la presente sentence suivant le compte qui luy sera fourni par le grefier dont il comptera. En diminution sur ce quil aura a remetre aud^{t} felix ce qui sera Executé donné en Cour le dit jour 21 fevrier 1788.

[*Signed*]

Ch. duCharme	P Laperche
Phillipe Engel	mth. Saucier
B Saucier	a^{t} Girardin P.sd.

a une Cour du premier mars mil sept cent quatre vingt huit.

M^{rs} ant^{e} girardin presidant	p^{re} Laperche
Philipe angel	fr. Lapensée
Mathieu Saucier	magistrats

M^{r} TOURNIER marchand de S^{t} Louis demandeur Contre FRANCOIS LAPENSEE deffendeur.

Le demandeur demande le payement dune somme de deux mille trois cent douze livres seize sols six deniers pour restant des marchandises quil luy a fourni montant En total a onze Cent quatre vingt trois piastres quatre Escalins Concluant a ce que led^{t} francois lapensée Soit condamné a le payer sous quatre jours avec les frais Et depens dautant quil devoit le payer au mois de Septembre dernier quil a atendû jusqua ce jour et quil est actuellement sur Son depart ne pouvant atendre plus longtems.

Le deffendeur a repondû quil ne pouvoit Contraindre les meunier a moudre son bled p^{r} satisfaire quil avoit asses de blée

notice to the said Lapancé, and that this causes the said Felix to suffer a delay and a considerable wrong; and after considering the whole case, the said Court condemned the said François Lapancé to deliver all assets deposited in his hands by the said Bouvet into the hands of the said Felix, of which he shall be well and lawfully discharged toward the said Bouvet and all others; and he shall retain in his hands only the amount of the sums which have been attached by order of this Court, due by the said Felix in order to account therefor to the judgment creditor; and he shall retain likewise the costs of seizures, which have been made, and of the petitions, which are to be paid with the present decree according to the account, which will be furnished him by the clerk, of which he shall render an account by subtracting from that which he ought to remit to the said Felix, for which there will be execution.

Given in Court the said day and year, February 21, 1788.

[*Signed*]

Ch. DuCharme. P. Laperche.
Philippe Engel. Matt. Saucier.
B. Saucier. Ant. Girardin. Pres.

At a Court, March 1, 1788.

MM. Ant. Girardin. President. Pierre Laperche.
Philippe Engel. Fr. Lapancé.
Matthieu Saucier. Magistrates.

M. Tournier, trader from St. Louis, Plaintiff, vs. François Lapancé, Defendant.

The plaintiff demands the payment of a sum of two thousand three hundred and twelve *livres* sixteen *sols* six *deniers* for the residue of the merchandise which he furnished the defendant, the total amounting to eleven hundred and eighty-three *piastres* four *escalins* and he concludes that the said François Lapancé should be condemned to pay it within four days together with the costs and charges, inasmuch as he should have paid it in the month of September last, and for which the plaintiff has waited until today; and he says that he is now about to take his departure and is unable to wait longer.

p^r Satisfaire En farine comme il sy Etoit obligé requerant quil luy soit accorde un plus long delais afin que les meuniers puissent luy faire sa farine, que la Surcharge de bled du public dans lesd^t moulins est Cause quil na pû faire son payement jusqua ce jour.

La Cour ayant Examine les circonstances ou les moulins ne peuvent pas fournir au besoin du public elle accorde quinze jours de delais au deffendeur p^r faire son parfait payement. passé Lequel tems la condamné a payer Sans autres delais la condamné aux depens Et la presente sera Exceuté.

La Cour est adjournée au 1^er avril 1788.

A^t Girardin Psd

a une Cour du Cinq avril mil sept Cent quatre vingt huit.

M^rs antoine girardin Presd^t — Math. saucier
Philipe angel — fr. Lapensée
Charles ducharme

Le S^r Jean B^te LaCroix sest presenté p^r faire Rendre compte au s^r aimé comte du bien de joseph Comte dont il est Curateur suivant la sentence Rendue par la deniere Cour. led^t aimé comte ne paroissant pas ainsi quil luy a Eté Enjoint.

Elle requiere M^r Barbeau lieutenant de comté demeurant a la p^rie du Rocher dordonner et faire partir led^t aimé Compte d'icy au vingt du mois p^r se rendre a cette Cour Et rendre comte des Biens dud^t mineur donné par la Cour led^t jour Et an.

a la meme Cour.

joseph Worley Et james Piggot ont representé quils Etoient Caution pour james moore de la belle fontaine p^r une somme de Cinq cent piastres p^r deux Esclaves noir que led^t more a acheté des mineurs de deffunt jhon Ellison Et quils craignent par le derrangement des affaires dud^t more quil ne devienne insolvable requerant p^r leur sureté a Etre decharge du Cautionment dautant quil y a un des negres de mort Entre les mains dud^t more sur

The defendant answered that he had been unable to compel the millers to grind his wheat so as to satisfy this claim and that he had enough wheat to satisfy it in flour as he had pledged himself to do. He prays that there be accorded him a longer delay until the millers can make his flour and says that the extra amount of wheat belonging to the public in the said mills is the cause of his being unable to make his payment up to this day.

The Court, having examined the conditions and learning that the mills were not able to supply the need of the public, granted fifteen days delay to the defendant to make complete payment, after which time he is condemned to pay without other delay. Condemned him to pay costs. For this present there will be execution.

The Court adjourned to April 1, 1788.

Ant. Girardin, Pres.

At a Court, April 5, 1788.

MM. Antoine Girardin, President. Matt. Saucier.
Philippe Engel. Fr. Lapancé.
Charles DuCharme.

M. Jean Bte. LaCroix presented himself to compel M. Aimé Comte to render account of the property of Joseph Comte, of which he is guardian, according to the sentence passed by the last Court. The said Aimé Comte did not appear although he had been cited.

The Court requires M. Barbau, county lieutenant, dwelling at Prairie du Rocher, to order and compel the said Aimé Comte to leave and come here on the twentieth of the month to submit himself to this Court and render account of the property of the said minor.

Given by the Court the said day and year.

At the same Court.

Joseph Worley and James Piggott set forth that they were bondsmen for James Moore of Bellefontaine for the sum of five hundred *piastres* for two black slaves which the said Moore bought of the minors of the late John Allison, and that they

quoy la Cour ayant deliberé ordonne quil sera Saisy provisoirement un des negres restant Et suffisament des autres Biens dud^{t} more p^{r} Remplacer celui qui manque le tout provisoirement Et paroitra led^{t} more devant la Cour le 1er may prochain pour deduire Ses raisons sil en a aleguer pour En Etre ordonne par notre dite Cour ce quil apartiendra.

La Cour est ajournée au 1er may 1788.

A^{t} Girardin psd.

a une Cour du Sept may mil Sept cent quatre vingt huit.

M^{rs} antoine girardin Presidant	B^{te} Saucier
Math. Saucier	francois Lapensée
Philipe angel	cons^{ers} Magistrats.

Le S^{r} Izidore laCroix marchand de Canada Sest presente par sa requete de cejourdhuy a luy remise demandant qu'en vertu de la saisie quil a fait faire des Biens de monsieur dubuque En datte du huit Novembre mil Sept cent quatre vingt sept Et la sentence de la Cour du douze Novembre mil Sept cent quatre vingt Sept Rendue En consequence qui luy aloue Son compte et obligation comme premier saisissant montant a la somme de Cinq mille trente neuf livres six sols six deniers la Cour a ordonne Et ordonne que led^{t} demandeur sera recu Creanciers privilegie aprés les debtes payées contracté aux ilinois dedomagements frais de justice et Droits de madame dubuq prelevez. Et la renvoyé jusques aprés le recouvrement donné par la Cour lesd^{t} jour Et an.

Ensuit la Note des Billet et obligation que led^{t} s^{r} La-Croix a presenté avec notre sentence au bas en original qui luy a Eté remise a la Cour du douze 9^{bre} mil sept cent quatre vingt sept.

[1] There is no record of such a decree except in this place.

feared on account of the disorder of the affairs of the said Moore less he should become insolvent; and they pray for their safety to be discharged from their surety inasmuch as one of the negroes has died on the hands of the said Moore. Whereupon the Court, after having deliberated, decrees that there shall be seized provisionally the remaining negro and a sufficient amount of the other property of the said Moore to replace the one who is dead, all provisionally; and that the said Moore shall appear before the Court on the first of May next to state his claims if he has any to plead in order that this affair may be settled by our said Court as may be fitting.

The Court adjourned to May 1, 1788.

Ant. Girardin, Pres.

At a Court, May 7, 1788.

MM. Antoine Girardin, President. Bte. Saucier.
Matth. Sauicer. François Lapancé.
Philippe Engel. Councilors and Magistrates.

M. Isidore LaCroix, trader from Canada, presented himself by his petition of this day, which has been returned to him, in which he prays that, in virtue of the seizure, which he has made of the goods of M. Dubuque under date of November 8, 1787, and of the decree of the Court of November 12, seventeen hundred and eighty-seven[1] rendered in consequence, which allows him the account and note due him as first execution creditor and which amounts to the sum of five thousand and thirty-nine *livres* six *sols* and six *deniers*, [execution be made]. The Court decreed and does decree that the said plaintiff shall be received as preferred creditor, after the payment of the debts contracted in the Illinois, the damages, costs of justice, and just claims of Madame Dubuque have been deducted; and dismissed him until after the collection. Given by the Court the said day and year.

There follows the memorandum of notes and obligations which the said M. Lacroix presented, with our decree written at the bottom of the original, which was returned to him at the Court of November 12, 1787.

La Cour aloue.

Doit m^r augustin dubuque a joseph LaCroix et gigon.

par un billet ..... 4046 . 7 . 6
par un bon ..... 29 .
par un billet par un bon ..... 156 .
ma Commission des affaires que jay geré p^r lui En canada ..... 175 . 3
9 [*letters illegible*], ¾ gros tour fleury ..... 280 . 16
payé au sergent m^r Conet ..... 12 .

4699 . 6 . 6

Sauf Erreur et obmission le 14 aoust 1787 signé joseph LaCroix p^r gigon.

La Cour aloue le present compte Comme premier saisissant Et aprés les Creances de des domagement payées Et accordées cejourdhuy autant quil y aura des fonds aux Cahos de plus trois Cent quarante livres p^r un Compte de fourniture accepte par deffunt dubuque donne aux Cahos le douze Novembre mil sept cent quatre vingt Sept. signé Math. Saucier, pierre Laperche, B^te Saucier, Philipe Engel, antoine girardin, fr Saucier presidant a luy remis ladite Sentence signée des dits magistrats cy dessus.

a la meme Cour le S^r Reilhe Sest presente avec Lecrit dont copie suit et a luy remis loriginal.

Je prie M^r Labuxiere de mexpedier la Sentence de la Cour qui accorde le des domagement aux incendiés.

Secondement la Sentence qui renvoy les Creanciers de montreal p^r discuter leurs privileges. troisiemement le montant de la vente. 4^e le montant du bled, farine, mahis et lard. 5^e le montant des billets obligation et comptes a S^t Louis le 1^er [?] avril 1788. VEU par la Cour assemblée ce jourdhuy elle deffend au s^r Labuxiere De rendre aucun Compte de ladite succession ny de delivrer aucunnes pieces qua celuy qui sera Nommé sindic de ladite sucession lors que les recouvrement seront fait Et que lon aura recû des Nouvelles de madame dubuque. Excepte la copie de la sentence qui renvoy les Creanciers de Canada Envers le sindic pour sar-

The Court allows:

M. Augustin Dubuque owes Joseph LaCroix and Gigon,	
by a note	4046. 7. 6.
by a *bon*	29.
by a note and *bon*	156.
my commission for business which I managed for him in Canada	175. 3
9 [*letters illegible*], ¾ *gros tour fleury*	280. 16.
paid to M. Conet sergeant	12.
	4699. 6. 6.

Saving error and omission, August 14, 1787. Signed Joseph LaCroix for Gigon.

The Court allows the present account as of the first execution creditor and after the claims allowed to-day for damages are paid and in so far as there shall be funds at Cahokia above three hundred and forty *livres* for an account of supplies accepted by the deceased Dubuque. Given at Cahokia the 12th of November, 1787. Signed: Matt. Saucier, Pierre Laperche, Bte. Saucier, Philippe Engel, Antoine Girardin, Fr. Saucier, President. Returned to him the said decree signed by the magistrates aforesaid.

At the same Court M. Reiehe presented himself with the writing, a copy of which follows, and the original was returned to him.

I pray M. Labuxiere to draw up for me the decree of the Court which allows damages to the sufferers from the fire.

Secondly the decree which dismisses the creditors from Montreal to determine their privileges. Thirdly the amount of the sale. 4th. The amount of wheat, flour, corn, and lard. 5th. The amount of the notes, obligations, and accounts at St. Louis, the first of April, 1788. This having been examined this day by the assembled Court, it forbids M. Labuxiere to render any account of the said estate or to deliver any documents except to the one who shall be named syndic of the said estate at the time the collections shall be made and after there has been received news

anger Entreux Et jusqua ce que la dame dubuque ait Envoyé icy sa procuration fait Et delivre En Cour le 7. may 1788.

La Cour est adjournée au 1er juin 1788.

At Girardin

a une Cour de deux juin mil Sept cent quatre vingt huit.

Mrs antoine girardin Presidant	Math. Saucier
Philipe angel	pre Laperche
Charle ducharme	fr. Lapensée
Bte Saucier	

Le Sr Worlay habitant de la belle fontaine Sest presente declarant que contre les ordres de cette cour le Sr more de la belle fontaine Sest refusé de luy donner caution a Satisfaction pr sureté des sommes quil doit aux mineurs Ellezon dont il est caution. la Cour ordonne que le Sr more donnera Bonne Et solvable caution audt Worlay qui assurera Solidement les sommes quil doit aux dits mineurs Et ce dans tout le Courant de ce present mois. Et a faute dy saitsfaire Nous Enjoignons a notre huissier tom bredy de se transporter le deux ou trois de juillet prochain pour proceder par voy de Saisies et execution sur les Biens dudt sr more et effets a luy apartenants lesquels Effets, negres, Bestiaux il transferera aux Cahos pr etre vendus judicierement a la porte de l'Eglise au plus offrant Et dernier Encherisseur pr largent En provenant Etre pris Et prelevé la somme que ledt more doit aux dits mineurs interest frais de justice Conts [*sic*] Et mise dexecution ce qui sera Executé donné En Cour lesdt jour Et an. Et En Cas de resistance la Cour donnera tout main forte pr lexecution de ses ordres.

[*Signed*]

pierre Laperche	francois Lapancé
B Saucier	Mth Saucier
Phillipe Engel	DuCharme

At Girardin psd.

from Madame Dubuque, except the copy of the decree which dismissed the Canadian creditors to a syndic to make arrangements among themselves, and until Madame Dubuque has sent here her power of attorney. Made and delivered in Court, May 7, 1788.

The Court adjourned to June 1, 1788.

Ant. Girardin.

At a Court, June 2, 1788.

MM. Antoine Girardin. President.
Philippe Engel.
Charles DuCharme.
Bte. Saucier.
Matt. Saucier.
Pierre Laperche.
Fr. Lapancé.

M. Worley, inhabitant of Bellefontaine, presented himself and declares that, contrary to the orders of this Court, M. Moore of Bellefontaine has refused to give him satisfactory bond for surety for the sums which he owes the minors Allison, for which he is bondsman. The Court decrees that M. Moore shall find for the said Worley good and solvent bondsman, who shall substantially assure the sums, which he owes the said minors, and this within the course of this present month. And in default of giving satisfaction, we command our *huissier*, Tom Brady, to go thither on the second or third of next July and proceed to attach and place under execution the goods of the said M. Moore and the effects belonging to him; which effects, negroes and cattle he shall transport to Cahokia to be sold by judicial sale at the door of the church to the highest bidder; and from the money obtained there shall be taken and deducted the sum which the said Moore owes the said minors with the interest, the costs of justice and expenses of the execution, for which there will be execution. Given in Court the said day and year. And in case of resistance the Court will give all assistance to the execution of its orders.

[*Signed*]

Pierre Laperche.
B. Saucier.
Philippe Engel.
François Lapancé.
Matt. Saucier.
DuCharme.
Ant. Girardin, Pres.

a la meme Cour.

HUGH Mc D° CHISHOLM demandeur Contre FRANCOIS CLARK absent ne voulant paroitre

Le demandeur nous a represente lordre de Saisie Et vente des biens par la Cour ordonne sur Les Biens dud^t^ Clark. lequel se trouve En deffaud dacomplir le parfait payement En Consequance La Cour ordonne au S^r^ Schemitz juge a paix au grand Ruisseau de donner Ses ordres pour faire payer sans aucuns delais led^t^ Clark avec tous les frais Et journéés pas Et demarches dud^t^ Hugh Mc D° Chisholm Et ly [*sic*] Contraindre par toute Rigeur de justice donné En Cour lesd^t^ jour Et an.

La Cour est adjournée au 1^er^ juillet 1788.

A^t^ Girardin.

a une Cour du premier julliet mil Sept cent quatre vingt huit.

M^rs^ antoine garardin Presidant	p^re^ Laperche
Mathieu Saucier	Charle ducharme
B^te^ Saucier	francois lapensée

Magistrats

PIERRE BRISSON demandeur Contre CHARLES GERMAIN deffendeur

Le demandeur demande au deffendeur la Somme de Soixante dix livres pour des madriers quil lui a fait et quil refuse de recevoir.

Le deffendeur a repondû quil ne les luy a pas fait dans le tems quil les luy avoit demandé Et quil ne pouvoit plus les prendre vû les grandes Eaux qui lempechoit de les Charoyer quil nen avoit plus Besoin. Le demandeur a replique quil luy avoit dit de venir les recevoir avant les grandes Eaux. ce que le deffendeur a desnie Le demandeur a offert preuve a linstant a fait paroitre michel peltier dit antaya lequel a pris sermant sur les S^ts^ Evangiles de dire la verité Sur laffaire dont est question a dit quil a connoissance quil avoit fait marché Ensemble pour Soixante livres et que Brisson luy devoit faire des madriers p^r^ cette somme p^r^ sa Batterie qui est tout ce quil a dit savoir sur cette declaration Sur cette declaration Brisson a dit quil a avoit [*sic*] offert a germain de luy livrer Ces madriers led^t^ germain a dit de faire sermant de

At the same Court.

HUGH McD. CHISHOLM, Plaintiff, *vs.* FRANCIS CLARK, absent, refusing to appear.

The plaintiff sets forth to us that the goods of the said Clark, against which the writ for the seizure and sale of goods was decreed by the Court, are found to be insufficient to make complete payment. Consequently the Court orders M. Smith, justice of the peace at Grand Ruisseau, to make the said Clark pay without any delay, together with all the cost and wages for going and coming of the said Hugh McD. Chisholm, and to constrain him by all rigor of the law. Given in Court the said day and year.

The Court adjourned to July 1, 1788.

Ant. Girardin.

At a Court, July 1, 1788.

MM. Antoine Girardin, President. Pierre Laperche.
Matthieu Saucier. Charles DuCharme.
Bte. Saucier. François LaPancé.
Magistrats

PIERRE BRISSON, Plaintiff, *vs.* CHARLES GERMAIN, Defendant.

The plaintiff demands of the defendant the sum of seventy *livres* for joists, which he made for him, and which the defendant refuses to accept.

The defendant replied that the plaintiff had not made them in the time that he had demanded them of him, and that he could no longer get them seeing that the high water prevented him carting them, and that he no longer had need of them. The plaintiff replied that he had told him to come and get them before the flood, a thing which the defendant denied. The plaintiff offered proof. He now summoned Michel Pelletier called Antaya, who took oath on the Holy Gospels to tell the truth in regard to the business in question, and he said he knew that they had made agreement together for sixty *livres* and that Brisson was to make joists for the plaintiff's thrashing-floor for that sum, which is all that he said he knew. To this declaration Brisson said that he had offered Germain to deliver to him these joists. The said Germain told him to make oath on what he put forward, which the

ce quil avancoit, ce que led^{t} Brisson a offert Et a fait a linstant son sermant sur les s^{ts} Evangiles.

sur quoy la Cour condamné le s^{r} germain a recevoir Et prendre les madriers qui seront recus par arbitres pour etre Bons et recevables de trois pouces dEpaisseur de neuf pied de long Bois de liards lesquels seront recus demain deux de ce mois Condamnons germain aux frais et depens.

a la meme cour.

Le Sr CLAMORGAN demandeur Contre CHARLES WOOD ameriquain hab^{t} du grand Ruisseau deffendant

Le demandeur demande que la maison et bled froment En semencez sur la terre de jacob groot app^{t} aud^{t} Wood et Saisis a la demande dud^{t} s^{r} de Clamorgan par ordre de la Cour soient vendus jusques a la Concurance de ce qui luy est dub interest et frais Et nommement de la somme de quartre cent soixante dix livres dix sols suivant le billet dud^{t} Wood que le demandeur a Exhibé a la Cour.

Le deffendeur a repondû quil ne soposoit pas a la dite vente et quil y Consentoit quil navoit pas dautre moyen pour payer. Sur quoy la Cour ordonne que les Choses saisies seront vendues Sans delais a la demande du Saisissant par lhuissier credit pour le produit En provenant Etre delivré aud^{t} s^{r} Clamorgan jusqua la Concurance de tout ce qui peut luy etre dub soit par billets ou obligations interest Et frais condamne led^{t} Wood aux frais Et depens tant de Saisie instence que autres a intervenir [?] qui seront avancés par M^{r} Clamorgan Et a luy Rembourcez sur les Biens dud^{t} Wood ce qui sera executé.

a la meme cour.

MARC SCHISOLM demandeur Contre FRANCOIS CLARK deffendeur

Led^{t} Clark et led^{t} schisolom on presente une sentence Rendue par le s^{r} Schemitz juge a paix au grand Ruisseau tendante au payement dun alanbic. La Cour assemblé elle a homalogué Et homalogue la dite sentence Rendue par led^{t} s^{r} Schemitz le 18 davril dernier. ordonne ladite Cour que ladite sentence sortira son plain Et Entier effet seulement p^{r} la somme principale et pour

said Brisson offered to do. And now he made his oath on the Holy Gospels.

Whereupon the Court condemned M. Germain to receive and take the joists, which shall be accepted by arbitrators as good and acceptable, as of three inches in thickness and nine feet in length, and of poplar; and that they shall be received to-morrow the 2nd of this month. We condemn Germain to pay the costs and charges.

At the same Court

M. CLAMORGAN, Plaintiff, vs. CHARLES WOOD, American inhabitant of Grand Ruisseau, Defendant.

The plaintiff demands that the house and the wheat sowed on the land of Jacob Groot, belonging to the said Wood, and which has been attached on the demand of the said M. Clamorgan by order of the Court, be sold up to the equivalent of what the defendant owes him with interest and costs, that is the sum of four hundred and seventy *livres* ten *sols* according to the note of the said Wood which the plaintiff exhibited to the Court.

The plaintiff replied that he was not opposing the said sale and that he consented thereto and that he did not have other means of paying. Whereupon the Court decrees that the goods, which have been attached, shall be sold without delay by the *huissier* on the demand of the execution creditor; and that credit from the proceeds thereof shall be delivered to the said M. Clamorgan up to a sum equal to that which may be owing him either by notes or obligations with interest and costs. Condemned the said Wood to pay the costs and charges as well for the writ of execution as for the other intervening writs, and the costs shall be advanced by M. Clamorgan and reimbursed to him from the goods of the said Wood; for which there will be execution.

At the same Court.

MARK CHISHOLM, Plaintiff, *vs* FRANCIS CLARK, Defendant.

The said Clark and the said Chisholm presented a decree rendered by M. Smith, justice of the peace at Grand Ruisseau in regard to the payment for a still. The Court, having assembled, affirmed and does affirm the said decree rendered by the said M. Smith the 18th of April last. The said Court decrees that the

les frais fait pardevant led^{t} s^{r} schemitz pour ladite sentence, a debouté Et deboute led^{t} chisholm du Compte de frais quil fait monter a Soixante piastres luy enjoint de recevoir son payement des mains dud^{t} Clark ou des depositaires diceluy Condamnons led^{t} Clark a payer dix livres pour les frais de la presente homologation donné en Cour lesd^{t} jour Et an. Et a deboute led^{t} Chisholm de Son compte de frais pour Etre Exhorbitant Et sans setre mis en regle pour justiffier des dits frais Et payera led^{t} Clark les frais de saisie ce qui sera executé.

La Cour est ajournée au 1er aoust prochain.

mth Saucier psd.

a une Cour du 1er aoust 1788.

Mathieu Saucier presidant	Charle ducharme
B^{te} Saucier	fr. Lapensée
P^{re} Laperche	henry Biron

Magistrats

Entre ROBERT JONS demandeur Contre SAMUEL MORICE deffendeur

Le demandeur a dit que avant hier il a rencontré ches le Nomme Thom Bredy le Nommé samuel Morice qui luy devoit, auquel il a demandé son payement. que ledit morice Et led^{t} jones Se Sont disputez Ensemble et dit plusieurs injures et fait des menaces que led^{t} morice avoit un Baton avec lequel il la frapé Et quil Sest revengé ayant pris led^{t} morice par les cheveux, que ledit morice luy a pris le pouce avec les dants dont il se trouve extropié quil demande contre ledit morice le des domagement de la perte de Son temp ne pouvant travailler de Son metier de Chapellier.

Ledit morice a replique que setoit jones qui avoit commencé la dispute Et quil lui avoit jeté une Roche de la grosseur de quatre a Cinq livres, que sil En avoit Eté frapé il En auroit Eté tué. la dite roche ayant frapé dans la porte ou potau de la maison ou Elle a Encavé led^{t} poteau led^{t} morice Se Sauvant dans ladite maison que sest En sortant de la maison quil se sont pris et que led^{t}

said decree shall have its full and entire effect only for the principal sum and for the costs made before the said M. Smith for the said decree. The Court denied and does deny the account of the said Chisholm's expenses, which he has made run up to sixty *piastres*, and enjoins him from receiving his pay from the hands of the said Clark or from his depositaries. We condemn the said Clark to pay ten *livres* for the costs of the present affirmance. Given in Court the said day and year. And the Court denied the account of costs of the said Chisholm as being exorbitant and as not being put in due form to justify said expenses; and the said Clark shall pay the costs of the seizure, for which there will be execution.

The Court adjourned to the 1st of August next.

Matt. Saucier, Pres.

At a Court August 1, 1788.

Matthieu Saucier, President.

Bte. Saucier. Fr. Lapancé.

Pierre Laperche. Henry Biron.

Charles DuCharme. Magistrates.

Robert Jones, Plaintiff, *vs* Samuel Morris, Defendant.

The plaintiff said that day before yesterday he met at the house of the named Thomas Brady the named Samuel Morris, who was owing him and from whom he demanded his payment; that the said Morris and the said Jones quarreled, used abusive language and made threats; that the said Morris had a stick with which he struck the plaintiff and that he revenged himself by seizing the said Morris by the hair; that the said Morris bit his thumb with his teeth, from which he was maimed; that he demands from the said Morris damages for the loss of his time, since he could not work at his trade of hatter.

The said Morris replied that it was Jones who began the quarrel and that he had thrown at him a rock weighing four or five pounds; that if he had been struck with it, he would have been killed; that the said rock struck the door or the post of the house and made a deep dent in it and that the said Morris saved himself by going into the said house; that it was when he came out of the house that they caught hold of each other and

jones le tenant par les Cheveux et ne Voulant le lacher luy En fonceant Son pouce dans la Bouche la douleur Lavoit forcé a le mordre requerant frais et depens contre led[t] jones.

parties ouies le tout examiné la Cour a renvoyé Les dites parties hor de cour et de procés p[r] ladite affaire les condamne chacun aux frais Et depens.

La Cour est ajournée au 1[er] 7[bre] 1788.

Mth. Saucier

a une Cour tenue Extraordinairement le 8 aoust 1788.

M[rs] Matieu Saucier presidant fr. Lapensée

B[te] Saucier henry Biron

Ladite cour a fait paroitre devant Elle Le Nommé jean B[te] Colin demeurant Chés la dame Brisson soupconné davoir partisipé a lEnlevement des effets du Nommé Brisson Et sa femme, led[t] Colin detenû aux fer. lequel Etant En la presence de la Cour Et aprés sermant par luy fait Sur les Saints Evangiles luy avons demande sil a Connoissance de Lenlevement ou recelement des Effets dud[t] brisson et sa femme et sil ny a pas participe a repondû quil N'en a aucunne Connoissance Et quil na Enlevé ny aidé a Enlever aucuns Bestiaux ny effets, quil ignore ceux qui En ont detourné quil declare Seulement que madame Brisson luy a fait porter une scie de Long dans le jardin, laquelle scie nous avons demandé ou Elle Etoit le jour de hier a linvantaire personne ne la representant Nous lavons Envoyée Chercher dans le jardin nous Etant apercû quelle y Etoit Cachée liée avec une pelle a four pour etre Emportée; lequel nous declare presentement que cest madame Brison qui luy a fait porter dans le jardin; Et na voulû avouer aucunne autre Chose sur toutes les demandes que nous luy avons faites.

lui avons demandé quelle jour ou luy a dit de porter la sie dans le jardin.

a dit que cest avant hier

luy avons demandé sil sait autres Chose.

a dit que Non.

[1] In the morning of July 10, 1788, Alexis Brisson made a brutal attack on Thereze, the widow of John Henson, former trader of Cahokia. The immediate occasion of it was her gossip about Brisson's wife. Brisson kicked the woman, hit her with a chair and then dragged her to the wood-pile, where he was preparing to kill her, when he was prevented by J. Bte.

that Jones held him by the hair and would not release him and sunk his thumb in his mouth and the pain forced him to bite it; and he demands costs and charges from the said Jones.

Having heard the parties and examined all, the Court dismissed the said parties from court and suit in regard to the said affair; and condemned each to pay the costs and charges.

The Court adjourned to September 1, 1788.

Matt. Saucier.

At a Court meeting in special session, August 8, 1788.

MM. Matthieu Saucier, President. Fr. Lapancé.
Bte. Saucier. Henry Biron.

The said Court summoned before it the named Jean Bte. Colin, who dwells at the house of Madame Brisson, and who is suspected of having participated in the removal of the effects of the named Brisson and his wife.[1] The said Colin was held in irons. When he was in the presence of the Court and had made oath on the Holy Gospels, we asked him if he had knowledge of the removal or concealment of the effects of the said Brisson and his wife, and if he had not participated therein. He answered that he had no knowledge thereof and that he had not removed nor aided in the removal of any animals or effects; that he did not know who had taken them away; he declared only that Madame Brisson made him carry a whip-saw into the garden. Yesterday at the inventory we asked where this saw was and when nobody showed it to us, we sent to seek it in the garden, having noticed that it was hidden there bound up with a baker's shovel ready to be carried away. The witness now declared to us that it was Madame Brisson who made him carry it into the garden; and he did not wish to confess anything else to all the questions which we put to him.

We asked him what day they had told him to carry the saw into the garden.

He said it was day before yesterday.

We asked if he knew anything else.

He said, "No."

LaCroix. Madame Brisson was present during the assault and urged her husband on. On July 31, the state's attorney, Labuxiere, charged Brisson with assassination, and the Court ordered Commandant Trottier to arrest Brisson, and in case of resistance to shoot him.—Chi. Hist. Soc. *Cah., Rec.*

lecture a luy faite de Sa deposition a dit Contenir verite y persiste et a signé avec nous. Et avant de Signer a declaré Et affirmé que francois Canadien avoit Emmené les Chevaux de Brisson et sa femme depuis la prairie du pont jusques au mississipy Les quels Chevaux avoit Eté conduit de la maison de la dame Brisson par ses Enfans jusqua la p^rie du pont et remis aud^t fr. canadien qui les mené au mississipy p^r traverser mardy dernier declare de plus quil a fait une Cache par ordre de la dame Brisson dans la grange La quelle il offre de montrer dans la terre qui est tout ce quil a dit savoir sous Son Sermant et a Signé Et promis que sil survient quelque Chose a sa Connoissance de la declarer.

[*Signed*]

Jan baptis colin	marque
francois Lapance	hBi
B Saucier	d henry Biron
Labuxiere grefier	Mth. Saucier

a une cour du 9 aoust 1788.
tenue par les memes magistrats.

avons fait paroitre francois Renoux accusé davoir aidé a Enlever les Chevaux de Brisson Et sa femme lequel aprés sermant par luy fait de dire verité luy avons demandé Sil a aidé ou participe a LEnlevement des Chevaux de Brisson Et sa femme.

a dit avoir atrapé deux juments Et trois poulins par ordre de la femme de Brisson et quil les a conduits au mississipy ou la dame Brisson luy avoit dit de les mener et de les atacher avec deux autres chevaux que les Enfans de ladite femme ont mené avec luy.

interoge sil ne savoit pas que ces chevaux Etoient Saisis et la publication faite a la porte de lEglise dimanche dernier.

a repondû quil ne l'avoit pas sue.

interoge sil ne savoit pas que le Nommé Brisson Etoit fugitif et poursuivis.

The reading of his deposition was made to him and he said that it contained the truth and persisted therein and signed with us. And before signing he declared and affirmed that François Canadien had driven the horses belonging to Brisson and his wife from Prairie du Pont to the Mississippi, and that these horses were led from the house of Madame Brisson as far as Prairie du Pont by her children and delivered to the said Fr. Canadien, who led them to the Mississippi in order to cross last Wednesday. He declared further that he made by order of Madame Brisson a cache in the barn, which he offered to show. This is all which he said under oath that he knew and he has signed; and he promised, if anything came to his knowledge, to make it known.

[*Signed*]

Jean Baptiste Colin.
François Lapancé.
B. Saucier.

Mark of
h B i
Henry Biron
Labuxiere, Clerk.

At a Court, August 9, 1788, held by the same magistrates.

We have summoned François Renoux accused of having aided in the removal of the horses belonging to Brisson and his wife; and after he had taken oath to tell the truth, we asked him if he aided, or participated in, the removal of the horses belonging to Brisson and his wife.

He said that he caught two mares and three colts by order of Brisson's wife, and that he took them to the Mississippi, where Madame Brisson had told him to lead them and to tie them with two other horses, which the children of the said woman had lead with him.

Asked if he did not know that these horses were attached and that publication had been made at the door of the church last Sunday.

Answered that he did not know it.

Asked if he did not know that the named Brisson was a fugitive and was pursued.

Answered that he knew that they were pursuing him; but that

a repondû quil savoit que lon le poursuivoit mais quil lavoit vû paroitre Et disparoitre plusieurs fois et quil Croyoit que lon ne Le recherchoit plus, quil ne Croyoit pas faire mal en menant les Chevaux quil Lavoit fait sans reflection. Et quil sest mefie au mississipy que setoit p^r^ les traverser sur lautre Rive.

interoge sil a quelque Chose a declarer de plus. Et sil na pas Connoissance de quelques Enlevement fait par quelqu'un des Effets ou bestiaux de Brisson Et sa femme.

a repondû quil n'en a aucunne Connoissance.

Lecture a luy faite de Sa declaration a dit quelle contient verité quil y persiste sous le Sermant quil a fait Et a dit ne savoir signer Et a fait Sa marque ord^re^ Et avons Signé les dits jours Et an.

[*Signed*]

francois Lapancé — marque de
B Saucier — +
B Dubuque — fr. Renoux
deposant

Labuxiere — Mth. Saucier psd.

Du dix huit aout mil Sept Cent quatre vingt huit.

Messieurs Jean B^te^ Dubuque Philipe Engel et Louis Chatel ont fait le serment d'office En qualité de Magistrats pour la nouvelle Nomination En la Place des sieurs Mathieu Saucier B^te^ saucier et fr. la pensée qui se sont demis de leur Charge les dits Magistrats ayant Eté nommés par la n^elle^ Election. Sont Comparus et apres avoir prête serment de fidelite, ainsi que celui d'office ont pris leur Place et leurs qualités de Magistrats.

Je sousigné Pierre Billet avoit fait serment que Je me Comporterai Bien Et vraiment dans la Charge de Greffier qui m'a Eté admise Ce Jour. selon ma Connoiss^e^ et Jugement. aux Cahos le 17 aout 1788.

P Billet Greffier

he had seen him appear and disappear several times and that he believed that they were no longer searching for him; that he did not believe that he was doing wrong in leading the horses; that he had done it without reflection; that he suspected at the Mississippi that the purpose was to send them across to the other bank.

Asked if he had anything else to declare, and if he did not have knowledge of the removal of the effects or cattle belonging to Brisson and his wife by some one.

Answered that he had no knowledge thereof.

Reading was made of his deposition and he said that it cantained the truth and he persisted therein under the oath which he made; and he said that he did not know how to sign and made his mark, and we have signed the said day and year.

[*Signed*]

François Lapancé.	mark of
B Saucier.	+
B. Dubuque.	Fr. Renoux, deponent.
Labuxiere.	Mth. Saucier, Pres.

August 18, 1788.

MM. Jean Bte. Dubuque, Philippe Engel and Louis Chatel have taken the oath of office as magistrates by the new election in place of MM. Matthieu Saucier, Bte. Saucier and Fr. Lapancé who have resigned from their office. The said magistrates, having been named by the new election, appeared and, after having taken oath of fidelity as well as that of office, have taken their place as magistrates.

I the undersigned Pierre Billet have taken oath that I will conduct myself well and faithfully in the office of clerk, to which I have been appointed this day, according to my knowledge and judgment. At Cahokia August 17, 1788.

P. Billet. Clerk.[1]

[1] Why Billet was appointed clerk in place of Labuxiere is not known, but he did not serve long. On December 1, Labuxiere signed as deputy clerk and on February 2, 1789, as clerk, and from that date the handwriting proves that he served regularly.

a une meme Cour.

Presidant ant girardin

Louis Chatel	Ch. Ducharme
Philipe Engel	Henri Beron
P. la Perche	B^te^ Dubuque

Magistrats

a la même Cour avons appointe une Requête En faveur de M^r^ Cerré et lui avons permis la saisie des Biens du Sr. James Moor Jusqua que la Cour En ordonnera.

La Cour Est adjourné au 1^er^ Septembre.

A^t^ Girardin psd.

a une Cour tenue le 1^er^ 7^bre^ 1788.

Messieurs Ch ducharme President	henri Biron
B^te^ dubuque	Pierre La Perche
Philipe Engel	Louis Chatel

Magistrats

P Billet demandeur Contre le Sieur Smith deffendeur

Le demandeur a declaré que le Sieur Smith Lui devoit un cochon. d'Environ Cents livres et que le tems etant passé pour le Payement et lui en aiant Plusieurs demandes il lui avoit toujours refusé Sous mauvais pretexte le deffendeur dit quil lui avoit offert plusieurs fois mais quil l'avoit refusé disant quil n'etoit pas gros et quil avoit un temoin du marché Entre Eux que nous avons fait Paroitre et a dit quil lui devoit le Cochon et devoit lui Enmener tel quil Etoit La Cour a ordonné aud^t^ Smith de Livrer le Cochon aud^t^ P Billet sous quinze Jours. et Condamnons le dit Smith aux frais.

DuCharme prsd.

a une meme Cour.

Les Sieurs Morel et Sans Facon demandeur Contre Sieur Mathieu Saucier deffendeur

Les demendeurs nous aiant Exposé leurs plaintes par une requete du dix Sept aout dernier par Lequel ils avoient Eté recusés par le S^r^ Mathieu saucier pour servir de Jurés nous avons ordonné au S^r^ Mathieu Saucier de Paroitre au Jourdhui devant nous et y Exposer Ses raisons des Insultes par lui fait aux dits

At the same Court.

President Ant. Girardin — Ch. DuCharme.
Louis Chatel. — Henri Biron.
Philippe Engel. — Bte. Dubuque.
P. Laperche.

Magistrates

At the same court we referred a petition in favour of M. Cerré and allowed him the seizure of the goods of M. James Moore, until the Court shall give orders concerning it.

The Court adjourned to September 1.

Ant. Girardin, Pres.

At a Court, September 1, 1788.

MM. Ch. DuCharme, President. — Henry Biron.
Bte. Dubuque. — Pierre Laperche.
Philippe Engel. — Louis Chatel.

Magistrates.

P. Billet, Plaintiff, *vs.* M. Smith, Defendant.

The plaintiff declared that M. Smith owed him a pig of about one hundred pound weight and that when the time was passed for the payment and he had made several demands for it, the defendant had always refused with poor excuses. The defendant says that he had offered it several times to the plaintiff, but that he had refused it saying that it was not fat; and he says that he had a witness of the agreement between them, whom we have summoned, and who said that he owed the pig and ought to return one like it. The Court ordered the said Smith to deliver the pig to the said P. Billet within a fortnight. And we condemn the said Smith to pay the costs.

DuCharme, Pres.

At the same Court.

MM. Morel and Sansfaçon, Plaintiffs *vs.* M. Matthieu, Saucier, Defendant.

The plaintiffs set forth their complaints by a petition of the 17th of August last according to which they had been challenged by M. Matthieu Saucier for jury services and we ordered M. Matthieu Saucier to appear to-day before us to show his reasons for the insults made by him to the said MM. Morel and Sansfaçon. Whereat

Sieurs morel et Sans façon a quoi il a reconnu ses torts. et a dit quil ne l'avoit fait que par megard. et leur en a fait Ses Excuses en presence de nous aux Cahos le 1er 7bre 1788.

P Billet Greffier DuCharme pr

a une meme Cour.

Le Sieur William Biggs demandeur contre Samuel Morries deffendeur

le demandeur a dit que le Sieur Samuel Morries ayant demandé une Cour de Jurés pour la deffence de laccusation faite Contre lui des Insultes faite sur la Cour des Jurés et que n'ayant point paru. Sur quoi le demandeur s'est presenté a nous a quoi nous avons renvoyé les Parties. et quils se choiseront deux hommes Chacun a leur Choix pour Juger de Leur affaire devant Mr Smith Juge a paix et Magistrat du Grand ruisseau et Sen tenu a Ce que les dits Jurés en Jugeront Sans aucun rappel donné aux Cahos la Cour Presente le 1er Sept. 1788.

DuCharme psd.

a une meme Cour.

S'est Presenté Le Sieur James Watt demandeur Contre Le Sieur Jacob Groots deffendeur

Le demandeur nous a presenté deux Billets Consenti a sa faveur par ledit groots montant a La somme de trois Cents quatre vingt quatre livres payable en Lard et farine au prix Courant. et nous a dit En avoir fait La demande dont il Eté prêssé vu son depart. a quoi nous avons Condamné ledit groots a paier sous trois Semaines et les frais Ci Joint au Cahos le 1er 7bre 1788.

P Billet greffier DuCharme presd.

La Cour Est ajourné au 1er 8bre 1788.

DuCharme psd.

a une Cour du premier octobre 1788.

Messieurs Ch. Ducharme President Philipe Engel.

Bte Dubuque Henri Biron

P. La Perche Magistrats

M. fr. Saucier demandeur contre Michel Chartier Deffendeur

Le Sieur saucier presente un compte a lui remis par Mr Levi et approuvé par devenant devant [*sic*] M La Croix dont il lui

he acknowledged his wrong and said that he did it only through mistake and he made his apologies therefor to them in our presence.

At Cahokia, September 1, 1788.

P. Billet, Clerk. DuCharme, Pres.

At the same Court.

M. William Biggs, Plaintiff, *vs.* Samuel Morris, Defendant.

The plaintiff said that M. Samuel Morris had demanded a jury trial to hear his defence to the accusation against him of having insulted the jury court and had not appeared; whereupon the plaintiff presented himself to us. Whereat we dismissed the parties and ordered them each to choose a man, to judge their affair before Mr. Smith, justice of the peace and magistrate of Grand Ruisseau, and they shall be bound to this that the said jurors shall judge the cause without any appeal. Given at Cahokia in the present Court, September 1, 1788.

DuCharme, Pres.

At the same Court.

There presented himself M. James Watts, Plaintiff, *vs.* M. Jacob Groot, Defendant.

The plaintiff presented to us two notes drawn in his favour by the said Groots, amounting to the sum of three hundred and eighty-four *livres* payable in lard and flour at the current price; and he told us that he had made demand therefor and that he was in need of it on account of his departure. Whereat we condemn the said Groot to pay within three weeks with the costs here joined. At Cahokia, September 1, 1788.

P. Billet, Clerk. DuCharme, Pres.

The Court adjourned to October 1, 1788.

DuCharme, Pres.

At a Court, October 1, 1788.

MM. Ch. DuCharme, President. Philippe Engel

Bte. Dubuque. Henry Biron.

P. Laperche. Magistrates.

M. Fr. Saucier, Plaintiff, *vs.* Michel Chartier, Defendant.

M. Saucier presents an account, which had been given to him by M. Levy and approved before M. LaCroix, on which there is

Est du par la Balance deux Cents Soixante douze livres et apres lui En avoir fait la demande il lui a refusé disant que Son Compte nest pas Juste et quil lui doit que Soixante douze livres et apres avoir verifié le Compte que nous Croions Etre Juste et voyant les Mauvaises raisons que le S^r^ Saucier nous a dit quil lui avoit allegués Nous ordonnons au sieur Chartier a payer le Demandeur ou a lui trouver un Caution qui Se rendra responsable de lad^te^ somme et Condamnons le sieur saucier a paier les frais et se faire rembourser par le dit Chartier.

DuCharme psd.

a une mene Cour.

MICHEL PICHET demandeur Contre LOUIS GAUD deffendeur

Le demandeur a dit que le Nommé Louis gaud avoit pris et Engagé le petit la pierre et lui avoit promis une Pouliche ou une taure pour ses salaires et quil refusoit de lui donner le deffendeur a dit quil l'avoit gardé Malade et que ses salaires netoient pas Capable de Paier sa Maladie et les soins quils avoient Eu pour lui Nous avons renvoyer les parties par arbitres.

DuCharme psd.

a une Meme Cour.

HUGUES SCHISHOLM demandeur BENJAMIN BAYRONN deffendeur

le demandeur nous a dit quil lui Eté düe Cent minots de Bled par le dit Bayronn pour deux vaches a Lait quil lui avoit vendue le deffendeur a dit quil lui en avoit livré vingt Minots Chez thibaud a la Prairie du Rocher. le demandeur lui a dit quil etoit gaté et quil netoit pas Marchand. Nous avons renvoyées les Parties a faire visiter le Bled. et nous fiant Sur le rapport quil nous en sera fait Signé par M. Barbeau et Condamnons le dit Bayronn a Paier lexcedent qui Est de quatre Vingt minots Sous huit Jours. et Condamnons led^t^ Bayronn aux fraix.

DuCharme psd.

adjourné La Cour au 1^er^ Novembre 1788.

P Billet Greffier DuCharme prsd.

due him a balance of two hundred and seventy-two *livres;* and after having made demand therefor, the defendant refused him saying that his account is not just and that he owes only seventy-two *livres;* and after verifying the account, which we believe to be just and hearing the poor arguments which M. Saucier told us that the defendant had pleaded to him, we order M. Chartier to pay the plaintiff or to find a bondsman who will render himself responsible for the said sum; and we condemn M. Saucier to pay the costs and to have himself reimbursed by the said Chartier. DuCharme, Pres.

At the same Court.

Michel Pichet, Plaintiff, *vs.* Louis Gaud, Defendant.

The plaintiff said that the named Louis Gaud had taken and engaged the little Lapierre and had promised him a filly or a heifer for wages and that he refused to give it to him. The defendant said that he had tended him when sick and that his wages were not sufficient to pay for his sickness and the attendance which they had had for him. We have dismissed the parties to have the case decided by arbitrators.

DuCharme, Pres.

At the same Court.

Hugh Chisholm, Plaintiff, *vs.* Benjamin Byram, Defendant.

The plaintiff told us that there was due him one hundred *minots* of wheat for two milch cows, which he had sold the defendant. The defendant said that he had delivered twenty *minots* of it to him at the house of Thibault at Prairie du Rocher. The plaintiff said to him that it was spoiled and it was not salable.

We dismissed the parties to have the wheat inspected; and having confidence in the report, which will be made us, signed by M. Barbau, we condemn the said Byram to pay the excess there is above eighty *minots* within a week; and we condemn the said Byram to pay the costs.

DuCharme, Pres.

The Court adjourned to November 1, 1788.

P. Billet, Clerk. DuCharme, Pres.

a une Cour du trois novembre 1788.

Messieurs

Antoine girardin President	B^te^ Dubuque
Ch Ducharme	henri Biron
Philipe Engel	Pierre La Perche
Louis Chatel	Magistrats

a une meme Cour.

ANT ARMAND demandeur PIERRE RICHARD deffendeur

le demandeur nous represente un Compte Contre le dit Richard de la somme de quatre vingt dix neuf livres En argent quil dit lui Etre due depuis Cinq ans. le dit Pierre Richard lui a dit quil Croioit l'avoir Paié par Ses travaux a quoi le demandeur na voulu acquiesser disant quil n'avoit Eu que Soixante sept livres et quil lui avoit porté En Compte et apres avoir fait faire serment sur les sts Evangiles de la verité de son Compte nous avons Condamné le dit deffendeur aux frais.

a une meme Cour.

le Sieur W^m^ ARRUNDEL Demand [*sic*] le S^r^ J^n^ B^te^ MOREL Deffendeur

le Demandeur nous a exposé par une requête que le sieur Morel avoit pris a son inseu une Voiture quil avoit a la Prairie du Chien et quil l'avoit pris Sans la Connoissance de Celui qui en Ete le depositaire en nous en aiant produit des Certificats et demander des dedomagemonts par sa Requete et ceci etant or de notre Connaissance nous avons renvoiés les Parties par arbitres.

a^t^ girardin

ajourné la Cour au premier decembre 1788.

a^t^ Girardin p. s. d.

A une Cour du 1^er^ Decembre 1788.

Messieurs

Girardin President	P. La Perche
Ch Ducharme	B^te^ Dubuque
Philipe Engel	Louis Chatel
Henri Biron	Magistrats

a une meme Cour le Sieur Gabriel Cerré nous presenté une requete que nous avons appointé a sa demande.

At a Court, November 3, 1788.

MM. Antoine Girardin, President. Bte. Dubuque.
Ch. DuCharme. Henry Biron.
Philippe Engel. Pierre Laperche.
Louis Chatel. Magistrates.

At the same Court.

ANT. HARMAND, Plaintiff, *vs.* PIERRE RICHARD, Defendant.

The plaintiff brings to us an account against the said Richard for the sum of ninety-nine *livres* in money, which he says was due five years ago. The said Pierre Richard told him that he believed that he had paid it by his labor; to which the plaintiff was not willing to agree, saying that he had had only sixty-seven *livres* and that he had credited it to his account; and after having made him take oath on the Holy Gospels of the truth of his account, we condemned the said defendant to pay the costs.

At the same Court.

M. WILLIAM ARUNDEL, Plaintiff, *vs.* JEAN BTE. MOREL, Defendant.

The plaintiff sets forth to us by a petition that M. Morel had taken without his knowledge a boat, which the plaintiff had at Prairie du Chien,[1] and that he had taken it without the knowledge of the one who was custodian of it; and the plaintiff brought to us certificates thereof and demanded damages by his petition; and since this is out of our jurisdiction, we dismissed the parties to plead before arbitrators. Ant. Girardin.

The Court adjourned to December 1, 1788.

Ant. Girardin, Pres.

At a Court, December 1, 1788.

MM. Girardin, President. P. Laperche.
Ch. DuCharme. Bte. Dubuque.
Philippe Engel. Louis Chatel.
Henry Biron. Magistrates.

At the same Court M. Gabriel Cerré presented to us a petition, which we have referred at his request.

[1] Prairie du Chien, in the present state of Wisconsin, was not included in the district of Cahokia or in the county of Illinois.

Vu par la Cour assemblé Ce Jour la Requete ci dessus Emsemble le testament olographe de feü Gemes Moor. laditte Cour ordonne quil sera fait Bon et fidel Inventaire de tous les Biens Generalement quils quonques delaisser par ledit deffunt James Moor Juridiquement et avec les formalites requises a la deligence des sieurs Cerré Bond et thomas Biggs. Executeurs testamentaire p^r Ce fait etre les dits trois executeurs testamentaires mis en Bonne posession des dits Biens de lad^tte sucession suivant laditte Inventaire faire les recherches des dits Biens tant meubles qu'immeubles en faire rendre Compte a laditte Veuve et par tous autres qui pouroient les avoir en leur Possession et generalement faire tout ce qui Est du devoir de leurs Charges pour la Conservations des droits et Interets des personnes interessées en la suditte sucession et autres quil appartiendra afin que la suditte sucession soient mise et reglé par le tems prescrit par les Loix donné En Cour le trois novembre Mil Sept Cent quatre vingt huit et Signé a la Copie delivré Ce Jour. antoine Girardin B^te dubuque Ch Ducharme Philipe Engel; Pierre La Perche H. B. i. henri Biron une + pour Louis Chatel et Signé.

LaBuxiere Comis Grefier.

A une Cour du 1^e Decembre 1788.

A Girardin President	P. La Perche
Ch. Ducharme	Henri Biron
Philipe Engel	Louis Chatel
aug^te Dubuque	Magistrats

Par une Requéte a nous presenté ledit Jour Par hiacinthe Cecire et aiant Vu Son Exposé nous avons Permis et Permettons audit hiacinthe Cecire de faire une assemblé de ses Parents et amis pour deliberer sur son Emancipation le dit Jour et an que dessus.

P Billet Grefier.

a une meme Cour.

M. JEAN DUMOULIN demandeur PHILIPE GERVAIS Deffendeur le Demandeur nous a Produit une Compte dont la Balance est de Soixante douze livres En argent, interêt Compris Jusqu'a ce jour. le deffend^r nous a dit que led^t Dumoulin avoit oü un

[1] A copy of this will is printed on page 515 of this volume.

Seen by the assembled Court this day the above petition together with the holographic will of the late James Moore. The said Court decrees that there shall be made good and faithful inventory of the property, all and singular, left by the said deceased James Moore with legal and requisite formalities, at the suit of MM. Cerré, Bond and Thomas Biggs, testamentary executors of the will. For this purpose the three said executors are to be put in full possession of the said property of the said estate; and according to the said inventory they are to search out the said property, both personal and real; and to cause the said widow and all others who may have it in their possession to render account; and generally to do that which is within the duties of their office for the preservation of the rights and interests of the persons interested in the estate aforesaid and of others whom it will concern; in order that the estate aforesaid may be settled by the time prescribed by law. Given in Court the third of November 1788, and signed on the copy delivered this day.[1] Antoine Girardin, Bte. Dubuque, Ch. DuCharme, Philippe Engel, Pierre Laperche, H. B. I. Henri Biron, a+for Louis Chatel, and signed Labuxiere, Deputy Clerk.

At a Court, December 1, 1788.

A. Girardin, President.	P. Laperche.
Ch. DuCharme.	Henry Biron.
Philippe Engel.	Louis Chatel.
Auguste Dubuque.	Magistrates.

By a petition presented to us this said day by Hyacinthe Cesirre; and after seeing his explanation we permitted and do permit the said Hyacinthe Cesirre to hold an assembly of his relatives and friends to deliberate on his livery. The said day and year as above.

P. Billet, Clerk.

At the same Court.

M. Jean Dumoulin, Plaintiff, *vs.* Philip Gervais, Defendant.

The plaintiff brought to us an account, the balance of which is for seventy-two *livres* in money including interest up to this day. The defendant told us that the said Dumoulin had had

Cochon de lait de lui a quoi il nous a dit qu'il l'avoit paié Comptant. Ce que le deffendeur a recusé et apres avoir fait faire serment aud^{t} S^{r} Dumoulin et avons Condamné led^{t} Gervais a Paier le demandeur et les frais du Present.

P. Billet Greffier

a une meme Cour.

une Requete a nous presenté par M^{r} Dumoulin par lequel il nous represente que le s^{r} Isadore LaCroix aie a lui remettre lexcedent quil doit doit [*sic*] payer pour un sauvage app^{t} a Mailher quil lui a Eté adjugé a quoi nous avons Conclud led^{t} Jour et an que dessus.

P Billet Greffier.

A une Meme Cour.

Pierre Billet demandeur Clark deffendeur

le demandeur nous a produit un Billet par lequel il nous represente quil lui est du deux Cents douze livres de Lard depuis le mois de Juillet Passé et Vu ses mauvaises Raisons nous l'avons Condamné a Paier sous huit Jours sans autre delais.

Ajourné La Cour au 2. Janvier 1789.

A^{t} Girardin P. s. d.

A une Cour du 2 Janv^{r} 1789.

Messieurs	
Ant Girardin President	Pierre LaPerche
Ch Ducharme	Henri Biron
B^{te} Dubuque	Philipe Engel
Louis Chatel	Magistrats

a une Cour du 2 Janvier 1788 [*sic*].

sur la representation de M^{r} de S^{t} Pierre Curé de cette Paroisse Sur ce que quelques habitants domiciliés de ce Village avoient refusés a donner le Pain Beni Croiant que Ce n'etoit pas une obligation et nous en aiant fait voir les preuves nous Enjoignons audits habitants a donner le Pain beni Chacun leur tour. et aux Jours d'obligation fautes de quoi il seront Condamné a paier dix livres a lEglise tel quil est present par les loix et Enjoignons aux Marguilliers de les Emploier a En faire faire un a leur deffaut telle est notre

a suckling pig from him, for which the plaintiff told us that he had paid cash, which the defendant challenged. And after causing the said Dumoulin to take oath, we condemned the said Gervais to pay the plaintiff and the costs of the present suit.

P. Billet, Clerk.

At the same Court.

A petition presented to us by M. Dumoulin by which he shows us that M. Isidore LaCroix should be held to remit to him the balance which he ought to pay for a savage belonging to Mailher, which had been adjudged to him, to which we agree the said day and year as above.

P. Billet, Clerk.

At the same Court.

PIERRE BILLET, Plaintiff, *vs.* CLARK, Defendant.

The plaintiff brought to us a note, by which he shows that there is owing to him two hundred and twelve pounds of lard since the month of last July. And considering his poor pleas we condemned the defendant to pay within a week without other delay.

The Court adjourned to January 2, 1789.

Ant. Girardin, Pres.

At a Court, January 2, 1789.

MM. Ant. Girardin, President. Pierre Laperche.
Ch. DuCharme. Henry Biron.
Bte. Dubuque. Philippe Engel.
Louis Chatel. Magistrates.

At a Court, January 2, 1789.

On the representation of M. de St. Pierre, *curé* of this parish, that several inhabitants domiciled in this village have refused to give the blessed bread, believing that it was not an obligation; and after he had shown us the evidence thereof, we commanded the said inhabitants to give the blessed bread, each in his turn and on the days of obligations; in default of which they shall be condemned to pay ten *livres* to the church, as is at present the law; and we command the wardens to use the money to have some bread made to make up the deficiency. Such is our opinion.

oppinion donné aux Caho la Cour seante le dit Jour et an que dessus.

ajourné la Cour au premier fevrier 1788 [sic]

P. Billet Greffier A^t Girardin p. s. d

A une Cour du 8 fevrier 1789.

Messieurs

A^tne Girardin President Pierre LaPerche

Ch Ducharme Philipe Engel

Henri Biron B^te Dubuque

Louis Chatel Magistrats

Le S^r LABUXIERE charge de la sucession de RAPHAEL GAGNEZ le demandeur Contre JOSEPH POUPART deffendeur

Le demandeur demande au deffendeur une somme de six cent soixante dix duit livres dix huit sols Cinq deniers tant en principal quinterest dont il y a deja Eu sentence de Condamnation par cette Cour.

Le deffendeur a demandé delais p^r payer dans le Courant de ce mois.

La Cour accordé aud^t demandeur [*sic*] le Courant de ce mois Et la condamné a payer sans plus long terme son billet et interest montant a lad^t somme cy dessus et aux frais Et depens montant a huit piastres ce qui sera executé. ordonnons au s^r Lachansse heritier dud^t gagnez de prendre des mains du s^r Labuxiere Le billet dud^t poupart dont le s^r Labuxiere sera Bien decharge. ce qui sera executé.

Labuxiere A^t Girardin psd.

a la meme Cour.

LOUIS BERGERON demandeur Contre JEAN B^te DURBOIS deffendeur

Le demandeur demande au deffendeur trois cent livres de farine p^r avoir pensé Et guery la fille du Nommé vaudry

Le deffendeur a repondû quil navoit point guery la petite fille et quil avoit Eté obligé de la metre Entre les mains de la dame

[1] Madame Tom Brady was born in St. Joseph in 1734 and lived successively in Michillimackinac, Chicago, and Cahokia. Before marrying Brady she had had three husbands, Laflamme, Sainte Ange, and Lecompte. She exercised great power over the Indians, and through her personal influence at times saved Cahokia from attack. She was universally respected at Cahokia, where she died at an advanced age.—Reynolds, *Pioneer History*, 136. Reynolds says that she was a daughter of Laflamme, but the case on p. 277 shows that she was his widow.

Given at Cahokia at the session of the Court the said day and year as above.

The Court adjourned to February 1, 1789.

P. Billet, Clerk. Ant. Girardin, Pres.

At a Court, February 8, 1789.

MM. Ant. Girardin, President. Pierre Laperche.
Ch. DuCharme. Philippe Engel.
Henry Biron. Bte. Dubuque.
Louis Chatel. Magistrates.

M. LABUXIERE intrusted with the estate of RAPHAEL GAGNÉ, Plaintiff, *vs.* JOSEPH POUPAR, Defendant.

The plaintiff demands of the defendant a sum of six hundred and seventy-eight *livres* eighteen *sols* five *derniers* as well for the principal as interest, for which there has been given judgment by this Court.

The defendant asked for delay to pay during the course of this month.

The Court granted to the plaintiff [defendant?] the course of this month and condemned him to pay without a longer delay his note and interest, amounting to the sum aforesaid with costs and charges which amount to eight *piastres*, for which there will be execution. We direct M. Lachanse, heir of the said Gagné, to take from M. Labuxiere the note of the said Poupar, of which M. Labuxiere shall be fully discharged, for which there will be execution.

Labuxiere. Ant. Girardin, Pres.

At the same Court.

LOUIS BERGERON, Plaintiff, *vs.* JEAN BTE. DUBOIS, Defendant.

The plaintiff demands of the defendant three hundred pounds of flour for having attended and cured the daughter of the named Vaudry.

The defendant replied that the plaintiff had not cured the little girl and that he had been obliged to put her in the hands of Madame Tom,[1] who had cured her; and that it was not the said Bergeron, that on the contrary he had neglected her.

thome qui lavoit guerie Et que ce netoit point led[t] Bergeron quau contraire il lavoit negligee.

Le tout consideré la Cour a debouté ledit Bergeron de Sa demande la Condamné aux frais et depens Et a adjugé les trois Cent livres de farine a la dame thom qui a guery la petite fille ce qui sera executé. A[t] Girardin p. s. d

a la meme cour.

donné une Saisie au s[r] Sans facon contre Wiliam houre p[r] le payement de vingt huit piastres. la saisie adresser au s[r] Chemitz juge du grand Ruisseau.

A[t] Girardin psd.

La Cour est ajourné au premier de mars prochain ce 2 fev 1789.

A[t] Girardin psd.

du [*blank*] fevrier delivré un ordre a la requisition de joseph La Chanse contre le Nommé gasien p[r] paroitre a la Cour du 2 mars.

du 27. fev un ordre dassignation a M[r] Wiliam aRundel contre francois Clark de la belle fontaine.

27. fevrier = un ordre dassignation p[r] Le S[r] aRundel Contre james henderson du grand Ruisseau.

=un ordre p[r] joseph Lachansse Contre pierre martin.

=un ordre pour joseph Lachansse Contre Groslé pere et fils.

=un ordre p[r] Lachansse Contre janot Lapensée.

=un ordre p[r] samuel Morice Contre joseph Worley.

=un ordre p[r] M[r] Dumoulin Contre la femme Brisson.

=un ordre p[r] M[r] De Clamorgan Contre Lefevre forgeron.

=un ordre p[r] M[r] De Clamorgan Contre Paul Poupart.

=un ordre p[r] M[r] De Clamorgan Contre Izaac Chalfont.

=un ordre p[r] M[r] De Clamorgan Contre James piquet du grand Ruisseau.

=un ordre p[r] M[r] de Clamorgan Contre David Waddel.

=un ordre p[r] M[r] de Clamorgan Contre francois Clark.

=un ordre Contre Bond et Biggs comme Executeur testamentaire de moore delivré a M[r] Morgan.

[1] From now on the clerk used the book to keep a record of the writs issued. These were probably issued by the justice of the week.

All considered the Court denied the demands of the said Bergeron, condemned him to pay the costs and charges and adjudged the three hundred pounds of flour to Madame Tom who cured the little girl, for which there will be execution.

Ant. Girardin, Pres.

At the same Court.

Granted a writ of seizure to M. Sansfaçon against William Houre for the payment of twenty-eight *piastres*, the writ being addressed to M. Smith, justice of Grand Ruisseau.

Ant. Girardin, Pres.

The Court adjourned to the 1st of next March, this 2nd of February, 1789.

Ant. Girardin, Pres.

On the — of February a summons delivered on the requisition of Joseph Lachanse against the named Gassien that he appear at the Court, March 2.[1]

On the 27th of February, a summons on complaint of M. William Arundel against Francis Clark of Bellefontaine.

27th of February, a summons on complaint of M. Arundel against James Henderson of Grand Ruisseau.

a summons on complaint of Joseph Lachanse against Pierre Martin.

a summons on complaint of Joseph Lachanse against Groslé father and son.

a summons on complaint of Lachanse against Janot Lapancé.

a summons on complaint of Samuel Morris against Joseph Worley.

a summons on complaint of M. Dumoulin against the woman Brisson.

a summons on complaint of M. Clamorgan against Lefevre, blacksmith.

a summons on complaint of M. Clamorgan against Paul Poupar.

a summons on complaint of M. Clamorgan against Isaac Chalfont.

+ = un ordre p^r denis verneau Contre la femme Brisson le s^r biron a repondu de 10^lb a Compte sur les frais.

+ = un ordre p^r mad^e LaCroix contre Louis Groslé.

du 2. mars delivré une Saisie a matieu saucier contre joseph Cecire p^r saisir le bled Et farine quil a au moulin du S^r LeBrun p^r sureté de 800^l de farine.

a une Cour du deux Mars mil Sept Cent quatre vingt neuf.

M^rs ant^e girardin Presidant	Henry Biron
Philipe angel	B^te Dubuque
Charles ducharme	Pierre Laperche
	Cons^ers magistrats.

Denis veronneaux demandeur Contre La femme Brisson deffenderesse

Le demandeur demande le payement de ses gages pendant une année tant pour faire marcher le moulin que ce qui en depend Echue au p^ier de juillet 1788. Et en outre Le Batage de grange montant p^r lannée a Six Cent Cinquante livres Et que pour Le Batage de Bled M^r Ceré doit luy entenir compte.

La dame Brisson convient des six cent livres p^r lannée elle a produit un compte a la Charge dud^t denis veronneau mon^t a la somme du Cinq Cent dix neul livres Cinq sols. aprouvé par led^t demandeur. reste la s^e de Cent trente livres Cinq sols sur laquelle somme est deduit vingt sept livres p^r perte de bled par la faute dud^t verronneau Et Cinquante livres p^r un vand a vaner quil a laisse perir Reste du par la dame Brisson aud^t demandeur Cinquante trois livres cinq sols que la cour condamne la dame Brisson a

a summons on complaint of M. Clamorgan against James Piggott of Grand Ruisseau.

a summons on complaint of M. Clamorgan against David Waddel.

a summons on complaint of M. Clamorgan against Francis Clark.

a summons against Bond and Biggs as testamentary executors of the will of Moore delivered to M. Morgan.

a summons on complaint of Denis Veronneau against the woman Brisson. M. Biron has made himself responsible for ten *livres* on account for the costs.

a summons on complaint of Madame LaCroix against Louis Groslé

On the 2d of March, a writ of seizure delivered to Matthieu Saucier against Joseph Cesirre, to attach the wheat and flour which he has at M. Lebrun's mill for surety for 800 lbs. of flour.

At a Court, March 2, 1789.

MM. Ant. Girardin, President. Henry Biron.
Philippe Engel. Bte. Dubuque.
Charles DuCharme. Pierre Laperche.
Councilors and Magistrates.

DENIS VERONNEAU, Plaintiff, *vs.* the woman BRISSON, Defendant.

The plaintiff demands the payment of his wages for a year due the first of July, 1788, for running the mill and doing what is connected therewith; and furthermore for the barn-thrashing amounting for the year to six hundred and fifty *livres* and also for the wheat thrashing for which M. Cerré should be accountable to him.

The woman Brisson acknowledged the six hundred *livres* a year. She exhibited an account against the said Denis Veronneau amounting to the sum of five hundred and nineteen *livres* five *sols*, which was approved by the said plaintiff. This leaves the sum of one hundred and thirty *livres* five *sols*, from which sum is deducted twenty-seven *livres* for the loss of wheat through the fault of the said Veronneau and fifty *livres* for a winnowing

payer au demandeur sous huit jours Condamne denis aux frais. ce qui sera Executé.

a la meme Cour.

Mad^e LACROIX demanderesse Contre LOUIS GROSLE deffendeur

La demanderesse a produit un billet Contre led^t Groslé de la somme de Cent Cinquante trois livres douze sols que le deffendeur a Reconnû et a dit navoir de quoy payer actuellement Et quil avoit donné un acompte de six minot et deny de bled Et deux poules montant a quarante neuf livres que ladite dame a aussi Reconnu partant reste a payer Cent quatre livres douze sols que la Cour condamne led^t groslé a payer sous huit jour a peine de Saisie ce qui Sera executé Condamne led^t grosle a payer quinze livres du frais.

a la meme Cour.

M^r DUMOULIN demandeur Contre LA DAME BRISSON deffenderesse.

Le demandeur repette par le Billet du s^r Brisson Et desjardins solidaires la somme de trois Cent quarante quatre livres Et vingt livres douze sols dinterest En argent payable En danrées. et un Compte de Cinquante huit livres dix neuf sols p^r marchandise toutes diminution faites sur led^t compte.

la deffenderesse a repondû quelle navoit pas connoissance de Lachat du Cheval mentionné aud^t billet Et quelle aprouve led^t compte seulement. sur quoy la Cour a decide que M^r Dumoulin atendra un mois p^r le retour dud^t Brisson lequel mois passé sera libre de se pourvoir Sur les Biens les plus aparants dud^t brisson quil poura decouvrir ou sur ceux dud^t desjardins comme solidaire. Et quant au Compte la Cour condamne la dame brisson a le payer au s^r dumoulin sans delais condamne M^r dumoulins a payer les frais. qui luy seront Rembourcé a la decizion du billet ce qui sera Executé

a la meme Cour.

CHARLES GERMAIN demandeur Contre M^r DUMOULIN

Le demandeur demande la somme de Cent livres pour le payement de la prise et nouriture des Chevaux saisis Et vendus a

fan, which he allowed to be ruined. There remains due by the woman Brisson to the said plaintiff fifty-three *livres* five *sols*, which the Court condemns the woman Brisson to pay to the plaintiff within a week. Condemned Denis to pay the costs, for which there will be execution.

At the same Court.

Madame LaCroix, Plaintiff, *vs.* Louis Groslé, Defendant.

The plaintiff produced a note against the said Groslé for the sum of one hundred and fifty-three *livres* twelve *sols*, which the defendant acknowledged; and he said that he did not have means to pay at present, and that he had paid an instalment of six *minots* and a half of wheat and two fowls amounting to forty-nine *livres*, which the said lady also acknowledged; therefore there remains a balance to be paid of one hundred and four *livres* twelve *sols*, which the Court condemns the said Groslé to pay within a week on pain of seizure; for which there will be execution. The said Groslé is to pay fifteen *livres* for costs.

At the same Court.

M. Dumoulin, Plaintiff, *vs.* the woman Brisson, Defendant.

The plaintiff claims on the note of MM. Brisson and Desjardins, jointly and severally liable, the sum of three hundred and forty-four *livres* and twenty *livres* twelve *sols* for interest in money, payable in kind, and an account for fifty-eight *livres* nineteen *sols* for merchandise, all rebates being made on the said account.

The defendant answered that she had no knowledge of the purchase of the horse mentioned in the said note, and that she approved the said account only. Whereupon the Court decided that M. Dumoulin shall wait a month for the return of the said Brisson, and when the month is passed, he shall be free to sue on the most tangible goods of the said Brisson, which he can find, or on those of the said Desjardins, who is equally liable. And as to the account the Court condemns the woman Brisson to pay it to M. Dumoulin without delay. Condemned M. Dumoulin to pay the costs, which shall be reimbursed to him at the time of

la requisition de M^r^ dumoulin p^r^ Creances a luy dues par le Nommé alary ameriquain. Le S^r^ dumoulin a dit quil consentoit a payer suivant quil En sera ordonné par la Cour p^r^ son rembourcement Enver led^t^ alary.

sur quoy la Cour condamne led^t^ s^r^ dumoulin a payer les Cent livres aud^t^ Germain dont il luy sera tenû Compte par led^t^ alary avecs les autres frais de vente et de la presente sentence ce qui sera Executé.

a la meme Cour.

Le S^r^ CHANSSE demandeur Contre JANOT LA PENSÉE

Le demandeur demande que le deffendeur luy paye la somme de Cent dix huit livres En danrées quil doit a lEncan de deffunt gagnez Echus depuis noel ou a Son deffau que francois lapensée sa caution soit condamné de payer led^t^ janot lapensée ayant dit quil ne pouvoit payer et nayant pas de quoy satisfaire la Cour condamne francois Lapensée a payer sans delais la dite somme Entre les mains dud^t^ laChansse sauf son recour sur son frere Et aux frais et depens.

a la meme Cour.

Le S^r^ La CHANSSE demandeur Contre PIERRE MARTIN deffendeur

Le demandeur demande au deffendeur somme de cent Cinquante huit livres En danrées quil luy doit p^r^ lEncan de deffunt Raphael Gagnez.

Le deffendeur a dit N'avoir Rien p^r^ payer presentement. et quil demandoit jusques a la fin de ce mois p^r^ payer ladite somme Etant sur le point de vendre sa maison pour payer.

sur quoy voyant L'impossibilité ou le deffendeur se trouve de payer actuellement la cour luy accorde le Credy du cour de ce mois sans plus delais faute de quoy permis la vente de ces Biens. deffend la cour au s^r^ LaChausse aucunne poursuite jusques aud^t^ tems Et cependant condamne led^t^ martin aux [frais] de Lordre et assignation de lhuissier.

a la meme cour.

SAMUEL MORICE demandeur Contre JOSEPH WORLEY ameriquain nayant voulû paroitre apres assignation a luy donné p^r^ paroitre a cette Cour.

the decision in regard to the note, for which there will be execution.

At the same Court.

CHARLES GERMAIN, Plaintiff, *vs.* M. DUMOULIN, Defendant.

The plaintiff demands the sum of one hundred *livres* as payment for the capture and keep of the horses seized and sold at the requisition of M. Dumoulin for debts due him by the named Alary, an American. M. Dumoulin said that he agreed to pay according as the Court decreed for his reimbursement by the said Alary.

Whereupon the Court condemned the said Dumoulin to pay the hundred *livres* to the said Germain, for which, with the costs of the sale and of the present judgment, the said Alary shall be accountable to him.

At the same Court.

M. LACHANSE, Plaintiff, *vs.* JANOT LAPANCÉ, Defendant.

The plaintiff demands that the defendant pay him the sum of one hundred and eighteen *livres* in kind, which he owes for what he bought at the auction of the goods of the deceased Gagné and which has been due since Christmas; or in case of his failure to pay that François Lapancé, his bondsman, be condemned to pay. The said Janot Lapancé having said that he could not pay, and since he does not have the means to satisfy the claim, the Court condemns François Lapancé, reserving to him recourse against his brother, to pay without delay the said sum into the hands of the said Lachanse, and to pay the costs and charges.

At the same Court.

M. LACHANSE, Plaintiff, *vs.* PIERRE MARTIN, Defendant.

The plaintiff demands of the defendant the sum of one hundred and fifty-eight *livres* in kind, which he owes him for the auction of the goods of the deceased Raphael Gagné.

The defendant said that he had nothing with which to pay at present; and that he asked for delay till the end of this month in order to pay the said sum, as he was on the point of selling his house in order to pay.

Le deffendeur Se trouvant redevoir aud^{t} samuel Morice vingt sept piastres En danrées suivant ses Billets tant pour argent recû p^{r} led^{t} Morice quil sest obligé de remetre aud^{t} demandeur.

La cour condamne led^{t} Worley a payer Sans aucuns delais les vingt sept piastres En danrées faute de quoy sera donné main forte p^{r} saisir Et vendre ses Effets jusques a la Concurance de ce quil doit Et Condamne led^{t} Worley En tous les frais Et depens ce qui sera executé adresse la presente sentence au S^{r} schemitz p^{r} la faire executer sans Retard.

frais 15^{lb} delivré la copie.

a la meme Cour.

M^{r} de CLARMORGAN demandeur Contre JIMES PIGGOT amériquain absent Nayant voulu paroitre aprés avoir Eté assigné Et apellé a haute voix.

Le demande [*sic*] a produit le Billet du deffendeur par lequel led^{t} piquet se trouve a devoir Cinquante un minot de Mahis Egrenné ainsy que Cent piastres portée En sa dite obligation faute davoir aComply Ses conventions Enver led^{t} Clamorgan.

Led^{t} s^{r} demandeur requiere que led^{t} piquet soit condamné a luy payer ladite quantité de Mahis avec les Cent piastres vû le refus dud^{t} piquet de paroitre.

La Cour la Condamné et condamne a payer sans delais au d^{t} s^{r} de Clamorgan ladite quantité de Cinquante un minot de Mahis ainsy que les Cent piastres de des domagement porté En son obligation a deffaud par luy davoir acomply Sa condition. et le Condamne En outre a livrer le tout a S^{t} Louis Residance de M^{r} Morgan pour Navoir pas fait sa livraison dans le tems quil sy est obligé ou led^{t} s^{r} demandeur pouvoit la faire transporter Sans frais Et le Condamne En outre En tous les frais Et depens ce qui sera Executé.

a la meme Cour.

A M^{r} nicolas Smith Juge de paix du G^{d} ruisseau.

Il vous est ordoné De prendre les Depositions De toutes les habitants de Votre district qui ont semé & recolté blés & mahis, De Doner Sur Sermant, aussi Juste quil est possible p^{r} la quantité

Whereupon the Court, seeing that the defendant finds it impossible to pay at present, granted him credit during this month without longer delay; in default of which the sale of his property is permitted. The Court forbids M. Lachanse to bring any suit until that time; and moreover condemns the said Martin to pay the costs of the *hussier's* order and summons.

At the same Court.

SAMUEL MORRIS, Plaintiff, *vs.* JOSEPH WORLEY, American, refusing to appear after being summoned to appear at this Court.

Since the defendant is found to owe to the said Samuel Morris twenty-seven *piastres* in kind according to his note as well as for money received for the said Morris, which he pledged himself to remit to the said plaintiff, the Court condemns the said Worley to pay without any delay the twenty-seven *piastres*, in default of which there shall be given power to seize and sell his effects up to the equivalent of what he owes; and the Court condemns the said Worley in all the costs and charges, for which there will be execution. The present judgment is addressed to M. Smith in order to have it executed without delay.

At the same Court.

M. CLAMORGAN, Plaintiff, *vs.* JAMES PIGGOTT, American, absent having refused to appear after having been summoned and called with a loud voice.

The plaintiff produced the note of the defendant according to which the said Piggott is found to owe fifty-one *minots* of shelled corn as well as one hundred *piastres* entered in his said obligation as penalty for not having fulfilled his agreements with the said Clamorgan.

The said plaintiff prays that the said Piggott be condemned to pay him the said quantity of corn with the hundred *piastres* in consideration of the refusal of the said Piggott to appear.

The Court condemned and does condemn him to pay without delay to the said M. Clamorgan the said quantity of fifty-one *minots* of corn as well as the hundred *piastres* damages entered in

quils auront ceuilly pour payer la Vingt sixieme partie a quiconque Sera authorisé par notre Cour Pour Recevoir Laditte dixme.

Il sera accordé Jusqu'aprés La recolte a Ceux qui ne pouront absolument pas payer actuellement, Bien entendu que cecy n'est que pour ceux qui restent en Dedan De la ligne tirée par Mr Girardin notre arpenteur.

Delivré un ordre a michel olf Et a george Biggs adressé au Sr Schemitz pr faire paroitre joseph Worley pr repondre a leurs demandes Et obtenir le payement de ce quil leur doit Et faire droit a qui il appartiendra ledt jour Et an.

Delivré un ordre au Sr Chemitz pr faire payer joseph Worley vingt livres quil doit au Sr Labuxiere.

Delivré un ordre verbal par la cour pour obliger le sr Chemitz sur sa parole a livrer au sr Labuxiere pr le sr dubuq trois Cent livres de farine quil est Convenû devant la Cour redevoir pr tous Compte.

a la meme Cour.

Mr aRondel representant Le Sr Laforme demandeur Contre francois Clark absent aprés assignation recue a Comparoir ce jourdhuy.

Le demandeur reclame un compte de des domagement a faute par ledt Clark de luy avoir payé suivant son billet quarante deux minots ½ de bled, Echus depuis decembre dernier. la Cour Enule le Compte en des domagement Et condamne ledt Clark a payer sans delais les quarante deux minots Et demy de Bled faute de quoy permis de Saisir et vendre jusqua parfait payement interest et frais ce qui sera Executé.

a la meme Cour.

Mr Clamorgan est intervenû sur la sentence cy dessus lequel a Exibe deux billets dus par le Nommé francois Clark Echus dequis lannée derniere montant a la quantité de onze Cent quarante livres de tabac lequel nous a requis Comme plus ancien Creanciers dEtre privilegie sur les Biens dudt Clark pr son paye-

[1] Evidently an attempt to make the Americans pay church tithes. From Colonel Harmer's statement, it is evident that the Americans were paying nothing for the support of the government or church in the year, 1787.— Smith, *St. Claire Papers*, II., 31.

[2] To what line this refers is not known.

his obligation as penalty for not having fulfilled its condition. And it condemns him furthermore to deliver all at the St. Louis' residence of M. Morgan for not having made delivery thereof at the time to which he pledged himself and where the said plaintiff could have had it transported without expense; and condemns him furthermore in all the costs and charges, for which there will be execution.

At the same Court.

To M. Nicolas Smith, Justice of the Peace of Grand Ruisseau.

You are ordered to take the deposition of all the inhabitants of your district who have sown and harvested wheat and corn, and they are to make a statement on oath as justly as it is possible in regard to the quantity that they have gathered, in order to pay the twenty-sixth part to whomever authority shall be given by our Court to receive the said tithe.[1]

There shall be granted a delay until after harvest to those who absolutely cannot pay at present, it being well understood that this applies only to those who are within the line drawn by M. Girardin, our surveyor.[2]

An order delivered to Michel Olf and George Biggs, addressed to M. Smith, to cause Joseph Worley to appear to answer their prayers and to obtain the payment of that which he owes them and to render justice to whom it shall belong, the said day and year.

An order delivered to M. Smith to compel Joseph Worley to pay twenty *livres* which he owes to M. Labuxiere.

A verbal order delivered by the Court to compel M. Smith on his word to deliver to M. Labuxiere for M. Dubuque three hundred pounds of flour, which it is agreed before the Court he owes for his account in full.

At the same Court.

M. Arundel representing M. Laforme, Plaintiff, *vs.* Francis Clark, absent after summons received to appear to-day.

The plaintiff claims an account, with damages as penalty, from the said Clark for not having paid according to his note for forty-two and a half *minots* of wheat, due since last December.

ment. si mieux la Cour Nadjuge Le marc La livre Entre led^{t} laforme Et led^{t} s^{r} demandeur. sur quoy la Cour a suspendû toute saisie accordée aud^{t} s^{r} Laforme ordonne que led^{t} laforme ne sera paye qua marc La livre avec M^{r} Clamorgan comme premier Creancier auquel marc la Lx il se Restraint condamne Clark aux frais et depens.

La Cour est adjourné au premier avril 1789.

A^{t} Girardin psd.

a la requisition du S^{r} Wiliam aRundel commerceant de Canada a Eté Enregistre la Sentence arbitrale qui suit.

Nous Soussignés arbitres Nommés par ordre de la cour du district des cahos du premier de ce mois pour decider laffaire Entre les S^{rs} William aRundel demandeur Contre jean B^{te} Morel deffendeur Concernant une pirogue que le S^{r} arundel dit que le S^{r} morel luy a Enmene de La prairie du chien Sans y être autorisé Et quil a Eté obligé de faire Son voyage icy avec Beaucoup de frais ne trouvan pas Sa voiture a la prairie du chien vû toutes les pieces produites a la cour par les deux parties Ensembles les Certifficats des S^{rs} hamelin et Blondeau Non Sermentes qui declarent que le S^{r} morel a pris la voiture Sans leurs ordres ni permission.

Vu aussi les deux certifficats Sermentés devant le S^{r} Ducharme un des juges de la cour donnez par pierre antaya Et joseph Leger dit parisien qui detruisent par leur Serment les deux precedants certifficats. Nous sommes dopinion que le S^{r} Wiliam aRundel Soit debouté de sa demande Enver led^{t} morel tant du payement de la dite pirogue que de tous des domagements Et quelle restera pour son compte Et risques Et cependant pour le tems et service que led^{t} morel a Eû de la pirogue nous estimons quil doit payer la moitié des frais du procés Et lautre moitié par le s^{r} a Rundel Sauf aud^{t} S^{r} a Rundel son recour contre le S^{r} amelin pour le payement de la pirogue, frais Et tous Et tous [*sic*] des domagements sil la pretée au s^{r} morel de son Chef Sans lordre dud^{t} S^{r} a Rundel aux Cahos le six decembre mil sept cent quatre vingt huit. Signé Saucier, Dumoulin Et Labuxiere arbitres Nommés.

[1] See note, p. 52.

The Court set aside the account for damages and condemns the said Clark to pay without delay the forty-two and a half *minots* of wheat; in default of which it is permitted to seize and sell sufficient for perfect payment with interest and costs, for which there will be execution.

At the same Court.

M. Clamorgan became a party to the above judgment, and he exhibited two notes due by the named Francis Clark, matured since last year, and which amount to the quantity of eleven hundred and forty pounds of tobacco; and he prayed us, as older creditor, to be given preference on the property of the said Clark for his payment; if the Court does not prefer to adjudge the mark in the pound[1] between the said Laforme and the said plaintiff. Whereupon the Court stayed all seizure granted to the said M. Laforme and decrees that the said Laforme shall be paid only his percentage of the assets with M. Clamorgan as first creditor, to which percentage he is restricted. Condemned Clark to pay the costs and charges.

The Court adjourned to the 1st of April, 1789.

Ant. Girardin, Pres.

At the request of M. William Arundel, trader from Canada, there has been registered the verdict by arbitration which follows:

We, the undersigned arbitrators, named by order of the Court of the district of Cahokia on the first of this month to decide the cause between MM. William Arundel, plaintiff, *vs.* Jean Bte. Morel, defendant, concerning a pirogue, which M. Arundel said M. Morel had taken from him at Prairie du Chien without authority so that he had been obliged to make his journey here at great expense, because he did not find his boat at Prairie du Chien: considering all the documents exhibited to the Court by the two parties, together with the certificates of MM. Hamelin and Blondeau, not made under oath, and which affirm that M. Morel took the boat without their order or permission; considering also the two certificates, sworn to before M. DuCharme, one of the justices of the Court, given by Pierre Antaya and Joseph

Vû la Sentence arbitrale de lautre part produite a la cour de ce jour, laquelle Sentence la cour a homologué et homologue par ces presentes Et ordonne quelle Sortira Son plain Et Entier Effet tant contre le s^r^ a Rondel que contre le S^r^ hamelin Sur Lequel le S^r^ arondel aura Son recour pour le payement de sa pirogue Et frais ainsi quil est expliqué En ladite Sentence donné En Cour le deux mars mil sept Cent quatre vingt neuf. signé J. B. Dubuq. henry Biron. ducharme. p^re^ Laperche. Philipe Engel. ant. Girardin.

A^t^ Girardin

a une Cour du Six avril 1789.

Le S^r^ jean B^te^ LaCroix Sest presenté pour faire deliberer sur le prix des danrées p^r^ le payement de ceux qui doivent a l'Eglise a Eté deliberé par la cour que la farine sera prise a vingt livres le Cent, Le bled froment Bien net et Bien Epuré a Six livres le minot.

Le mahis vané Et recevable Examt de moisisure et pouriture a quatre livres le minot.

Et le lard salé des hosse [*sic*] Bien conditioné a vingt sols le tout sur le pied de largent Et la cour condamne Les debiteurs a payer sans delais le montant de leurs dits Billets a quoy faire ils Seront contraint par Saisie Et vente de leurs Biens mandons a lhuissier de cette cour de metre la presente sentence a execution nonobstant toute oposition. arrete lesd jour Et an.

Leger called Parisien, which certificates destroy by their oath the two preceding certificates; we are of the opinion that the demands of M. William Arundel against the said Morel as well for payment for the said pirogue as for damages be denied and that the pirogue remain at his risk and loss; and yet for the time and service which the said Morel has had of the said pirogue, we estimate that he ought to pay half of the costs of the suit and that the other half be paid by M. Arundel; reserving to the said M. Arundel his recourse against M. Hamelin for the payment of the pirogue with costs and all damages, if he lent it of his own accord without the order of the said M. Arundel. At Cahokia December 6, 1789. Signed, Saucier, Dumoulin and Labuxiere, arbitrators named.

Having seen the verdict by arbitration on the other side brought into Court this day, the Court affirmed and does affirm this verdict by these presents, and decrees that it shall have its full and entire effect as well against M. Arundel as against M. Hamelin against whom M. Arundel shall have his recourse for the payment of his pirogue and costs, as is set forth in the said verdict. Given in Court March 2, 1789. Signed, J. B. Dubuque, Henry Biron DuCharme, Pierre Laperche, Philippe Engel, Ant. Girardin.

Ant. Girardin.

At a Court April 6, 1789.

M. Jean Bte. LaCroix presented himself in order to have a decision given on the price of commodities paid by those who owe the church. The Court determined that flour shall be taken at twenty *livres* the hundred; wheat clean and well winnowed at six *livres* the *minot.*

Corn winnowed and acceptable, free from mold and brown rust, at four *livres* the *minot.*

And bacon cured *des hosse* [?] in good condition at twenty *sols*, all on the basis of money. And the Court condemned the debtors to pay without delay the amount of their said notes, to do which they shall be constrained by seizure and sale of their property. We condemn the *huissier* of this Court to put the present decree in execution, notwithstanding all opposition. Decreed the said day and year.

a une Cour du Six avril 1789.

M^r^ Jacques De Clamorgan Sest presente p^r^ Et au Nom du s^r^ jean B^te^ Pratte chargé de la procuration de dame archange Prate veuve de deffunt le s^r^ augustin Dubuque deceddé aux Cahos aux Ilinois le 8 9^bre^ 1787. led^t^ S^r^ de Clamorgan demandeur En reclamation des douaires Et preciput accordé a ladite dame veuve par son contrat de mariage passé En Entr'Ele [*sic*] Et led^t^ deffunt au moyen de la renonciation quelle a faite a la Communaute dentr-elle Et led^t^ deffunt. Vû par la cour le Susdit contract de mariage En datte du dix sept octobre mil sept cent soixante dix huit passé devant M^r^ fauher N^re^ de La province de quebec par lequel il est Constitué p^r^ douaire a ladite dame veuve La Somme de Cinq mille livres de douaire prefix et 3 ans retour et p^r^ preciput la somme de quinze cent livres formant En total la somme de six mille Cinq cent livres, vû aussi une declaration En forme dinvantaire Estimatif des meubles Et effets qui se sont trouvez chés la dame dubuque En Canada fait par M^r^ le Guay Et papineau N^res^ lEgalisé par M^r^ de Ronville juge a montreal, montant a la somme de douze Cent quatre vingt deux livres un sol qui sont a deduire sur ladite somme de six mille Cinq cent livres partant Reste p^r^ les reprises de ladite dame veuve la somme de Cinq mille deux Cent dix sept livres dix neuf sols. Vu aussi la procuration de ladite dame adressée aud^t^ s^r^ jean B^te^ Pratte pour recevoir Ses droits aux ilinois En datte du Sept juin mil sept cent quatre vingt huit duement Legalizée En bonne form le tout Consideré et murement Examiné La Cour a aloué et aloue a ladite dame veuve dubuque ladite somme de six mille Cinq cent livres p^r^ son douaire Et preciput sur laquelle somme il sera deduit celle de douze cent quatre vingt deux livres un sols quelle a retenû par ses mains Suivant letat Estimatif cy dessus mentionné Et En concequance luy sera payé la s^e^ de Cinq mille deux cent dix sept livres dix neuf sols p^r^ tous droits quelle a a Esperer sur ladite sucession dud^t^ deffunt son mary aux ilinois que le s^r^ Labuxiere Chargé du recouvrement luy comptera aussitost quil aura recouvre des fonds suffisament p^r^ Remplir ladite ladite [*sic*] somme Et dont il luy sera

[1] For other references to this same case see pp. 309–313, 315, 323–327, 385–381, 393, 429, 513.

At a Court April 6, 1789.

M. Jacques Clamorgan presented himself for and in the name of M. Jean Bte. Pratte intrusted with the power of attorney of Madame Archange Pratte, widow of the deceased M. Augustin Dubuque, who died at Cahokia in the Illinois November 8, 1787, and brought suit for dower rights and jointure, which were accorded to the said widow by her contract of marriage, passed between her and the said deceased, on the plea of the renunciation which she has made of the community of goods between her and the said deceased.[1]

The Court having seen the contract of marriage aforesaid under date of October 17, 1778, passed before M. Faucher, notary of the province of Quebec, by which there is settled on the said widow for dower the sum of five thousand *livres* of fixed dower and three years reversion and for jointure the sum of fifteen hundred *livres;* and having seen also an affidavit in the form of an appraised inventory of furniture and effects, which are at the house of Madame Dubuque in Canada, made by M. Le Guay and Papineau, notaries, and legalized by M. de Rouville, justice at Montreal, and amounting to the sum of twelve hundred and eighty-two *livres* one *sol*, which are to be deducted from the said sum of six thousand five hundred *livres;* therefore there remains for the recovery by the said widow the sum of five thousand two hundred and seventeen *livres* nineteen *sols;* having seen also the power of attorney of the said lady, sent to the said M. Jean Bte. Pratte empowering him to receive her just dues in the Illinois, dated June 7, 1788, duly legalized in good form: all having been considered and carefully examined, the Court allowed and does allow the said Madame Dubuque, widow, the said sum of six thousand five hundred *livres* for her dower and jointure, from which sum there shall be deducted the sum of twelve hundred and eighty-two *livres* one *sol*, which she has retained in her hands according to the statement of the appraisement mentioned above; and consequently there shall be paid to her the sum of five thousand two hundred and seventeen *livres* nineteen *sols* to satisfy all her just claims which she has a right to expect from the said

tenû compte sur laqutaitnce quil En raportera dud^{t} s^{r} jean B^{te} pratte a bas de la susdite procuration ce qui sera Executé nonobstant toute oposition et par privilege a tous autres Creancier fait et donné par la Cour lesd^{t} jour Et an

[*Signed*]

hBI — pierre la perche
DuCharme — B^{te} Dubuque
Phillipe Engel — Sa Louis + chatel. marque
Labuxiere Grefier — A^{t} Girardin.

a la meme cour.

M^{r} Reilhe a presente une requete contre Izidore la Croix Charge des affaires de gigon p^{r} la sucession de dubuque par lapointé de la Cour ordonné quil sera surcit jusqua larivé dud^{t} s^{r} LaCroix.

La Cour est ajourné au 1er May prochain.

A^{t} Girardin.

a une Cour du 1er May 1789.

FRANCOIS CHEVALIER demandeur Contre LOUIS CIQUAR deffendeur et DENIS LAVERTU

Le demandeur Reclame quinze livres p^{r} lexcedant du loyer d'un Canot quil a loué au deffendeur pour mois qui luy a Eté payé mais Comme Le deffendeur a gardé le canot plus longtems le demandeur Reclame ladite somme de quinze livres p^{r} une partie de lhiver.

Le deffendeur a replique quil croyoit Lavoir Bien payé et quil ne croyoit pas luy devoir.

Le demandeur offre Son Sermant que les quinze livres luy sont dus ce qui a Eté accepté par le deffendeur.

Sur quoy la Cour a fait faire Sermant aud^{t} francois Chevalier Et Condamné le deffendeur a luy payer ladite somme de quinze

estate of the said deceased, her husband, at the Illinois, which sum M. Labuxiere, intrusted with the recovery, will pay to her as soon as he shall have collected funds sufficient to make up the said sum, and there shall be rendered an accounting thereof to him on the receipt, written on the bottom of the power of attorney aforesaid, which he will obtain from the said M. Jean Bte. Pratte, for which there will be execution notwithstanding all opposition and by preference to all other creditors. Made and given by the Court the said day and year.

[*Signed*]	Pierre Laperche.
hBi	Bte. Dubuque.
DuCharme.	His
Philippe Engel.	Louis + Chatel
	mark
Labuxiere, Clerk.	Ant. Girardin.

At the same Court.

M. Reilhe presented a petition against Isidore LaCroix intrusted with the cause of Gigon against the estate of Dubuque. By the reference of the Court it was decreed that it shall be stayed till the arrival of the said M. LaCroix.

The Court adjourned to the first of May next.

Ant. Girardin.

At a Court, May 1, 1789.

François Chevalier, Plaintiff, *vs.* Louis Ciquar and Denis Lavertu, Defendants.

The plaintiff claims fifteen *livres* for the additional rent of a canoe, which he rented the defendant for a month, which rent has been paid; but since the defendant kept the canoe a longer time, the plaintiff claims the said sum of fifteen *livres* for the rent during a part of the winter.

The defendant replied that he believed that he had paid him enough and that he did not think he was in debt to him.

The plaintiff offers his oath that the fifteen *livres* are due him and this was accepted by the defendant.

Whereupon the Court caused François Chevalier to take oath and condemned the defendant to pay him the said sum of fifteen

livres Et condamne les defendeur aux frais que nous avons liquidez a dix livres qui sont dus au grefier a deffaud par lhuissier davoir delivré Lordre lesquels frais seront avancés par le s^r^ Chevalier sauf son Rembourcement Enver le deffendeur ce qui sera Executé.

B^te^ Dubuque

du Six May mil Sept cent quatre vingt neuf a une Cour Extraordinaire tenue a la demande de francois huberdeau.

Led^t^ S^r^ HUBERDEAU demandeur Contre la SUCESSION de deffunt AUGUSTIN DUBUQUE En privilege de Sa Creance sur laquelle Est intervenû M^rs^ Reilhe chargé de la procuration de M^r^ Gamelin Et M^r^ Izadore LaCroix oposant aud^t^ privilege dautre part. deffendeur M^r^ De Rocheblave aussi oposant aud^t^ privilege.

Sur les representation que francois huberdeau a fait a la Cour quil est party de Canada pour venir recevoir Les droits qui luy Revenoit dans la sucession de feu jean B^te^ huberdeau Son frere decedé aux ilinois, Sur lesquels droits deffunt le S^r^ augustin dubuque a recû de Simon huberdeau Son frere la quantité de deux cent piastres gourdes pour luy faire toucher En Canada suivant lobligation dud^t^ deffunt dubuque cautionnée par le s^r^ joseph Marie Papin passée devant M^r^ Cruzat commandant de la partie espagnole a S^t^ Louis, sur laquelle somme luy a Eté offerte par madame dubuque En Canada huit cent cinquant deux livres aux Conditions quil donneroit une quittance generale pour tous Ses droits dans la Sucession dud^t^ deffunt jean B^te^ huberdeau son frere ce quil a refusé Et a En concequance pris le party de venir luy meme a la poursuite de Ses droits contre son frere simon huberdeau, Et En meme tems reclamer sur la sucession de deffunt dubuque les deux cent piastres gourdes quil devoit luy faire toucher En Canada En vertu de Sa Susdite obligation En datte du 23 may 1786 avec les frais et depens quil est obligé de faire conclud a ce que ladite somme de deux cent piastres luy soit payée par ladite Sucession Et tous Ses frais et depens.

oui M^rs^ Reilhe, Izadore laCroix Representant M^rs^ P^re^ Gamelin

[1] This is the son of Philippe de Rocheblave, the former acting governor of Illinois, not the governor himself, as is proved by his signature, which is totally different from that of the elder Rocheblave.

livres and condemns the defendant to pay the costs, which we have set at ten *livres*, which are due to the clerk because of the failure of the *huissier* to deliver the summons, which costs shall be advanced by M. Chevalier, reserving his reimbursement from the defendant, for which there will be execution.

Bte. Dubuque.

The 6th of May, 1789, at a special session of the Court held on the petition of François Huberdeau.

The said M. HUBERDEAU, Plaintiff, claiming as preferred creditor, *vs.* the ESTATE of the deceased AUGUSTIN DUBUQUE in which suit there intervened M. Reilhe, intrusted with the power of attorney by M. Gamelin, and M. Isidore LaCroix, both opposing the said privilege, and of the other part M. de Rocheblave,[1] defendent, also opposing the said privilege.

François Huberdeau sets forth to the Court that he left Canada to come to receive the just dues, which accrued to him from the estate of the late Jean Bte. Huberdeau, his brother, deceased in the Illinois; of which dues the deceased M. Augustin Dubuque received from Simon Huberdeau, his brother, the sum of two hundred *piastres gourdes*, in order that he might remit them to him in Canada, according to the obligation of the said deceased Dubuque which was guaranteed by Joseph Marie Pepin and drawn before M. Cruzat, commandant of the Spanish side at St. Louis; of which sum there had been offered him in payment by Madame Dubuque in Canada eight hundred and fifty-two *livres* on condition that he should give a receipt in full for all his just dues in the estate of the said Jean Bte. Huberdeau, his brother, which he refused; and consequently he resolved to come himself to sue for his rights against his brother, Simon Huberdeau, and at the same time to claim from the estate of the deceased Dubuque the two hundred *piastres Gourdes* which he [Dubuque] ought to have remitted to him in Canada in virtue of the obligation aforesaid under date of May 23, 1786, together with the costs and charges, which he has been obliged to make; and he concludes that the same sum of three hundred *piastres* should be paid him by the said estate with all costs and charges.

et Gigon Et M^r de Rocheblave agissant En Son Nom Lesquels ont demandé Et represente que led^t francois huberdeau ne pouvoit Etre recû Creancier privilegie aux ilinois p^r y recevoir les deux cent piastres par luy demandé 1^0 parcequil Les avoit refusées en Canada 2^0 En ce que le S^r Dubuque avoit fait une faillite Et que En concequance sa Creance ne devoit pas Etre regardée Comme priviligie Et quil devoit etre Renvoyé au Sindic qui sera nommé par les Creanciers En vertu de la sentence de la Cour dur^er decembre 1788. Requerant a ce Effet le Renvoy dud^t huberdeau Et quil soit debouté de Son pretendû privilege par luy demandé.

Parties ouies En leurs demandes Repliques, responses Requisitions Et Conclusions. la Cour apres avoir murement examiné Et deliberé Sur ladite affaire, Elle a reçû Et reçoit led^t francois huberdeau au nombres des Creanciers privilegie sur la Sucession de deffunt augustin dubuque pour les deux cent piastres gourdes que led^t deffunt lui devoit faire toucher En Canada Sans aucunne Condition ny renonciation a Ses autres droits ce qui la Empeché de recevoir la dite somme En Canada des mains de madame dubuque. ordonne ladite Cour quil Sera Nommé trois Negociants pour faire le valuation des piastres En Canada Et de la differance des ilinois pour le Surplus luy etre payé avec le Capital des deux cent paistres En Bon de la Caisse espagnole Et pelterie tel que le Charge de la sucession poura les recevoir Et quand au compte du frais et depens que led^t françois huberdeau a produit a la Cour ce jour. ordonne pareillem^t ladite Cour quil sera taxé par les meme arbitres. condamme la sucession dubuque aux frais de lextraord^re de la presente Cour suivant le Compte qui en sera produit Et vareté par un des magistra de cette dite Cour pour les dites sommes jointes Et evaluées Etre payée privilegierement par le s^r Labuxiere chargé de ladite sucession avant toute delivraison de deniers aux autres Creanciers.

Laquelle Creance nous accordons privilegierement comme ayant Eté formée aux ilinois Et En concequance y Etre liquidées. dont led^t s^r Labuxiere Sera Bien et valablement dechargé En

[1] The correct date is December 1, 1787. See *supra*, p. 311.

Heard MM. Reilhe, Isidore LaCroix, representing MM. Pierre Gamelin and Gigon, and M. de Rocheblave acting in his own name, who prayed and set forth that the said François Huberdeau could not be received as preferred creditor in the Illinois to receive there the two hundred *piastres* demanded by him: firstly, because he had refused them in Canada; secondly, because M. Dubuque had become bankrupt and that consequently his claim ought not to be regarded as preferred and that he ought to be referred to the syndic who shall be named by the creditors in virtue of the decree of the Court of December 1, 1788[1]; and they therefore pray for the dismissal of the said Huberdeau, and that the pretended privilege demanded by him be denied.

After the parties were heard in their prayers, replications, answers, requisitions and conclusions, the Court, after having maturely examined and deliberated on the said cause, received and does receive the said François Huberdeau in the number of preferred creditors of the estate of the deceased Augustin Dubuque for the two hundred *piastres gourdes*, which the said deceased should have sent him in Canada, without any condition or renunciation of his other rights which hindered him from receiving the said sum in Canada from the hands of Madame Dubuque; and the Court decrees that there shall be named three merchants to make the evaluation of the *piastres* in Canada and of the difference in Illinois in order that the excess be paid to him with the capital of two hundred *piastres* in Spanish treasury-notes and peltries, as the trustee of the estate may receive them; and as to the account of costs and charges which the said François Huberdeau brought into Court this day, the said Court decrees likewise that it shall be determined by the same arbitrators; it condemns the estate of Dubuque to pay the costs of the present special session according to the account which shall be produced and verified by one of the magistrates of this Court, in order that the said sums joined and evaluated be paid by preference by M. Labuxiere, trustee of the said estate, before any payment of money to other creditors.

This debt we accord the right of preference, since it was

Raportant lobligation dud^{t} s^{r} dubuque quittance par led^{t} francois huberdeau avec le Compte produit dud^{t} huberdeau et frais de justice fait et deliberé En Cour par M^{rs} antoine Girardin Presidant, Charles duCharme, Philipe Engel, henry Biron, pierre Laperche, jean B^{te} Dubuque, Et Louis Chatel Magistrats pour Etre Executé Nonobstant toute oposition lesd^{t} jour et an.

[*Signed*]

B Dubuque	Philipe Engel
henry hBI Biron	Pierre Laperche
Louis + Chatel	Ch DuCharme
	A^{t} Girardin.

a la meme Cour.

M^{r} Reilhe representant M^{r} Gamelin Contre M^{r} Izadore LaCroix representant M^{r} Gigon.

M^{r} Reilhe en sa dite qualité a prouvé que led^{t} s^{r} Izadore laCroix ne pouvoit Etre recû Creanciers privilegie sur les Biens de deffunt augustin dubuque 1° En ce que la Saisie provisoire quil a obtenû du vivant du s^{r} dubuque Est ilegale et que led^{t} deffunt dubuque Est mort dans linstant de la saisie Netant dailleur que provisoire Et que la Cour na point fait droit sous la huitaine porté par les ord^{res} de La validitê de ladite Saisie 2° que la sentence que led^{t} S^{r} Izidore LaCroix a obtenû de la Cour le 7 may 1788 Est obreptive Et subrebtive La Cour Nayant pas suffisament Eté informée de la legimité des Creances du s^{r} gigon representé par le s^{r} isidore LaCroix. Concluant a ce que led^{t} s^{r} LaCroix soit Renvoyé p^{r} sa pretendue Creance au sindic des autres Creanciers aprés quil aura Recû le reliquat de ladite sucession le s^{r} Gigon netant que commis du s^{r} Gamelin Et non Equipeur dud^{t} deffunt dubuque comme lavance le s^{r} LaCroix.

[1] The explanation of this declaration seems to be the following: Isidore La Croix obtained on November 8, 1787, from the justice of the week a writ of seizure against Augustin Dubuque; but the latter died on the day the writ was served. This writ should have been confirmed by the full Court within the week, but this was not done, although some kind of a decree was rendered November 12, 1787, and recorded later. On account of the death of Dubuque, it was disclosed that he was a bankrupt, and his creditors attempted to obtain the rights of preferred creditors; but the Court protected first the rights of those who had been wounded and whose property had been damaged by the explosion of gunpowder, for which Dubuque was responsible, and also the rights of the widow and the creditors living in Illinois. After all these had been paid the creditors from Canada and elsewhere were to divide proportionally the balance of the estate. Isidore La Croix, however, expected that he would be numbered among the preferred creditors because of his earlier attachment, and on May 7, 1788, he did obtain a confirmation of his claim, which now the Court after further investigation disallowed. See pp. 323–327.

incurred in the Illinois and consequently should be liquidated there; and the said M. Labuxiere shall be well and legally discharged thereof when he shows the obligation of the said M. Dubuque receipted by the said François Huberdeau with the account produced by the said Huberdeau and the costs of justice. Made and decreed in Court by MM. Antoine Girardin, President, Charles DuCharme, Philippe Engel, Henry Biron, Pierre Laperche, Jean Bte. Dubuque and Louis Chatel, magistrates, to be put in execution notwithstanding all opposition, the said day and year.

[*Signed*]

B. Dubuque.	Philippe Engel.
	Pierre Laperche.
Henry hBi Biron	Ch. DuCharme.
Louis + Chatel.	Ant. Girardin.

At the same Court.

M. Reilhe representing M. Gamelin, *vs.* M. Isidore LaCroix representing M. Gigon

M. Reilhe in his said capacity proved that the said M. Isidore LaCroix could not be received as preferred creditor of the property of the deceased Augustin Dubuque: 1st, because the provisional seizure, which he obtained during the life of M. Dubuque is illegal and because the said deceased Dubuque died at the moment of the seizure, which was moreover only provisional, and because the Court did not decree within the week, fixed by its orders, concerning the validity of the said seizure; 2nd, because the decree which the said M. Isidore LaCroix obtained from the Court, May 7, 1788, is obreptitious and surreptitious, since the Court was not sufficiently informed of the legitimacy of the claims of M. Gigon, represented by M. Isidore LaCroix; and he concludes that the said M. LaCroix should be referred for his pretended claims to the syndic of the other creditors after the latter shall have received the balance of the said estate, the said Gigon being only the deputy of M. Gamelin and not the furnisher of the said deceased Dubuque as M. LaCroix advances.[1]

ouy led^{t} s^{r} LaCroix qui a persiste dans son privilege a luy accordé par ladite sentence du 7 may 1788 p^{r} toute deffences.

La Cour aprés avoir murement deliberé a mis Et met ladite sentence du 7 may 1788 au Neant comme ayant Eté rendue en labsence dud^{t} s^{r} Reilhe obreptivement et subrebtivement nayant pas Eté suffisament informée Et Renvoy led^{t} s^{r} izidore LaCroix p^{r} toute sa Creances avec les autres Creanciers a Se pourvoir ver le sindic qui sera nommé p^{r} En Etre deliberé ainsy quil aviseron ce qui sera executé lesd^{t} jour et an.

[*Signed*]

DuCharme	Phillipe Engel
B^{te} Dubuque	hBi
Pierre Laperche	Louis + Chatel
Labuxiere	A^{t} Girardin.

Du 18 may 1789 a Sept heures du matin.

delivré une Saisie a Louis Coste pour saisir Et arreter une paire de Boeuf que pierre Billet a remis Entre les Mains du Nommé gassien p^{r} etre vendus dimanche prochain a deffaud de payement ladite saisie signé dubuque magistra.

Le meme jour a Neuf heures du matin.

delivré une saisie a francois lapensée pour saisir les memes Boeuf avec deffences aud^{t} gassien de Sen Dessaisir a peine dEn repondre que la Cour Nen ay ordonné.

du 19 may delivré une Saisie provisoire a francois saucier pour saisir entre les mains de pierre durbois deux Bariques de tafia apartenant a michel peltier dit antaya.

du 20 may 1789 delivré un ordre dassignation a jean farelle p^{r} faire paroitre paul poupart a la Cour du 1er juin.

du 2 juin delivrè un ordre a p^{re} martin Contre p^{re} Billet p^{r} paroitre a la cour de cejourdhuy.

Heard the said M. LaCroix who persisted in his privilege accorded him by the said decree of May 7, 1788, in spite of all arguments.

The Court, after having maturely deliberated, annulled and and does annul the said decree of May 7, 1788, as having been rendered in the absence of the said M. Reilhe obreptitiously and surreptitiously and since the Court was not sufficiently informed, and it dismisses the said Isidore LaCroix to plead with the other creditors for all his claims before the syndic who shall be named that there may be decision thereon as they shall advise; and there will be execution the said day and year.

[*Signed*]	Philippe Engel.
DuCharme.	hBi
Bte. Dubuque.	
Pierre Laperche.	Louis + Chatel.
Labuxiere.	Ant. girardin.

May 18, 1789, at 7 A. M.

Issued a writ of seizure to Louis Coste to seize and secure a pair of oxen, which Pierre Billet delivered into the hands of the named Gassien, to be sold Sunday next in default of payment.

The said seizure signed Dubuque, Magistrate.

The same day at 9 A. M.

Issued a writ of seizure to François Lapancé to seize the same oxen with warning to the said Gassien not to give them up until the Court has decreed concerning them, on pain of being held responsible therefor.

May, 19, issued a writ of provisional seizure to François Saucier to seize two casks of tafia belonging to Michel Pelletier called Antaya, now in the possession of Pierre Dubois.

May 20, 1789, issued a summons on complaint of Jean Farelle to cause Paul Poupar to appear at the Court of June 1.

June 2, issued a summons on complaint of Pierre Martin against Pierre Billet that he appear at the Court of to-day.

A un Cour du 2 juin 1789.

Mrs Antoine girardin Presidant	henry Biron
Charle ducharme	Pre Laperche
Philipe angel	J. Bte Dubuque

PIERRE MARTIN demandeur Contre PIERRE BILLET deffendeur

Le demandeur demande que ledt pierre Billet ay a luy remetre une vache avec son veau quil luy doit depuis longtems a quoy ledt Billet a repondû que le sr martin luy avoit fait saisir un Cheval qui se trouve perdû.

a quoy ledt martin a replique que le Cheval navoit jamais parû et que le Cheval netoit pas Existant que lhuissier lavoit saisy sans le voir ni Sans savoir sil Existoit Etant Courant dans les Bois que ledt Cheval n'a point parû depuis ce tems quil ne peut pas repondre du Cheval dautant que le sr Thom huissier ne la point sequestré.

Le tout consideré parties ouies. la Cour a decidé que si le Cheval se retrouve par les recherches quen fera pierre martin il sera Remis par luy a pierre Billet, Et que cependant il demeurera sur les risques dudt Billet. laquelle Recherche sera faite a la diligences dudt pierre martin, Et condamne ledt pierre Billet aprés la remise dudt Cheval. de livrer sans delais la vache et le vau audt martin depens compensez Entreux qui seront payé st le compte que produira le grefier ce qui sera executé Et condamne le sr Billet a payer la prise du Cheval.

a la meme cour.

LE Sr JEAN DUMOULIN Contre THOM BREDY

Thom Bredy a produit un compte a la Charge du sr dumoulin montant a quatre vingt dix sept livres.

Le Sr dumoulin a dit navoir point Eté assigné quil avoit un compte a produire audt thom Bredy quil demandoit a Etre renvoyé a la cour prochaine. le tout Examiné la Cour a Renvoyé les deux parties a Se pourvoir pardevant trois arbitres quil nommeront faute de quoy En sera Nommé par la Cour pr leur raport etre raporté a ladite cour y Etre homologué depens reservez jusques audt tems.

a la meme Cour Est comparu Pardevant nous Magistra Sou-

At a Court, June 2, 1789.

MM. Antoine Girardin, President. Henry Biron.
Charles DuCharme. Pierre Laperche.
Philippe Engel. J. Bte. Duiuque.

Pierre Martin, Plaintiff, *vs.* Pierre Billet, Defendant.

The plaintiff prays that the said Pierre Billet be held to deliver to him a cow with her calf, which he has owed him for a long time; to which the said Billet answered that M. Martin had obtained a seizure on a horse, which was lost.

To which the said Martin replied that the horse had never appeared and that the horse was not alive; that the *huissier* had put it under seizure without seeing it or knowing if it was alive, since it was running in the woods; that the said horse has not appeared since then; that he could not be responsible for the horse in as much as M. Tom, *huissier*, did not sequester it.

All considered and after the parties were heard, the Court decided that, if the horse is found through the searches, which Pierre Martin shall make for it, it shall be restored by him to Pierre Billet; that, however, it shall be at the risk of the said Billet; that the search shall be made at the suit of the said Pierre Martin; and the Court condemns the said Pierre Billet, after the delivery of the said horse, to deliver without delay the cow and the calf to the said Martin; and condemns both to pay the costs, which shall be paid according to the account, which the clerk will produce, for which there will be execution; and condemns M. Billet to pay for the capture of the horse.

At the same Court.

M. Jean Dumoulin *vs.* Tom Brady

Tom Brady brought in an account charged to M. Dumoulin, amounting to ninety-seven *livres*.

M. Dumoulin said that he had not been notified and that he had an account against the said Tom Brady to produce; and he demanded that the case be dismissed to the next Court. All examined, the Court dismissed the two parties to plead before three arbitrators, whom they shall name, in default of which some shall be named by the Court, and that their report be returned to the

signé M^r^ Daniel Mcl. Doff habitant demeurant aux Caskakias Lequel nous a requis de recevoir Sa declaration sur un vol avec fracture quil luy a Eté fait En Sa maison aud^t^ village de kaskakias.

Et aprés que led^t^ Daniel michel Doff a En fait sermant devant nous Sur les Saints Evangilles de faire Sa declaration sincere Et veritable.

a declaré que le douze du mois de May dernier dans la nuit ne pouvant dire au juste lheure que a la pointe du jour il Sest apercû que le Contreven dune fenetre de Sa maison avoit Eté forcé Et que lon avoit arraché Le gond dEn bas ce qui avoit Eté fait avec force dans la nuit precedente, Et que dans lintsant il Sest apercû que Sa negresse Et Son Enfant manquoit avec plusieurs Effets Et meubles de Sa maison. que le lendemain il a Eté informé par des personnes que la negresse et Son enfant etoit En la posession de M^r^ de Clamorgan Negociant de S^t^ Louis Et que lon lavoit vû Sur le fleuve avec ladite negresse lenfant Et deux negres quil avoit fait saisir a S^te^ genevieve quil remontoit p^r^ Revenir a S^t^ Louis quil y a aparance que le s^r^ Clamorgan a fait de nuit chés luy lenlevement de ladite negresse que quelques jours auparavant le declarant SEtant trouvé a S^t^ Louis fut voir M^r^ Clamorgan p^r^ le payer ou prendre des arangement quil luy avoit offert des esclaves p^r^ luy en procurer[?] la vente. que M^r^ Clamorgan Les avoit proposé a M^r^ dubreuil et quaprés Sétre parlé luy declarant est Convenû avec M^r^ dobreuil du prix de dix huit Cent piastres p^r^ deux negres, deux negresse, Et deux Enfans. dont M^r^ dubreuil devoit remetre neuf cent piastre a M^r^ Clamorgan En bon de la Caisse ou pelterie En acompte de ce quil luy devoit et quil toucheroit lui declarant les autres neuf Cent piastres En especes sonnantes des mains de M^r^ dubreuil ce qui fut signé par un accord Entre M^r^ dubreuil, M^r^ Clamorgan, M^r^ george morgan Et le declarant, qui sobligeoit de livrer les dits Esclaves a S^te^ genevieve chés M^r^ valée ce quil a Effectué a la reserve dune negresse qui etoit acoucher Et quil Etoit convenû denvoyer aprés son retablissement aprés que lesd^te^ negres ont Eté traversés a S^te^ genevieve,led^t^ s^r^ Clamorgan au lieu de

[1] This declaration was made by a Kaskaskian in the court of Cahokia, because there was no court in his own village. See *Introduction*, p. cxl.

said Court to be there affirmed, costs being reserved until the said time.

At the same Court there appeared before us, the undersigned magistrates, M. Daniel McElduff, inhabitant of Kaskaskia, who has requested us to receive his declaration in regard to a theft and house-breaking, which was made at his house in the said village of Kaskaskia[1].

And after the said Daniel McElduff made oath before us on the Holy Gospels to make his declaration sincere and truthful, he declared that on the twelth of the month of May last — he is not able to tell the exact hour but it was at the break of day — he perceived that the shutter of a window of his house had been forced and that some one had torn away the hinge from the bottom of it, and that it had been done with force in the preceding night, and in a moment he noticed that his negress and her child were missing with several effects and pieces of furniture; that the next day he was informed by some persons that the negress and her child were in the possession of M. Clamorgan, merchant of St. Louis, and that he had been seen on the river with the said negress and child and two negroes whom he had had seized at Ste. Genevieve, and that he was ascending the river to return to St. Louis; and that it would appear that M. Clamorgan made the abduction of the said negress at night from his house; that some days before, the deponent, being at St. Louis, went to see M. Clamorgan in order to pay him or to make arrangements; that he had offered him slaves to make a sale thereof for him; and that M. Clamorgan had offered them to M. Dubreuil and that after having spoken to him himself, the deponent agreed with M. Dubreuil, for the price of eighteen hundred *piastres*, to sell him two negroes, two negresses and two children; of this sum M. Dubreuil was to remit nine hundred *piastres* to M. Clamorgan in treasury notes or peltries as instalment on that which he, the deponent, owed, and that he would receive the other nine hundred *piastres* in hard cash from the hands of M. Dubreuil. This was signed by agreement between M. Dubreuil, M. Clamorgan, M. George Morgan, and the deponent who pledged himself to deliver the

tenir sa Convention a Surpris une saisie de M^r^ Peyrét Commandant a S^t^ Louis p^r^ semparer des dits Esclaves. a qui le S^r^ francois valée a Eû ordre de M^r^ peyroux de les remetre et les a traduit a S^t^ Louis ou ils sont En sa posession Et a remis a M^r^ dubreuil la Convention quils avoient signé Entreux. et que quelque jours aprés il est descendû avec deux negres p^r^ faire la fraction Et lenlevement de la negresse qui avoit resté. ainsy quil le deposé En tete de la presente declaration.

que comme une pareille tromperie ne peut etre regardée que Comme un vol manifeste Et Enlevement nocturne fait avec fraction, et une supercherie manifeste le declarant a requis acte contre led^t^ s^r^ Clamorgan p^r^ Le poursuivre Criminellement ou il pouroit etre trouve requerant a cette fin quil luy soit delivré contre led^t^ de Clamorgan une prise de Corps pour etre pris et arreté sur cette Rive sil peut y Etre decouvert declarant que sa presente deposition Est sincere Et Veritable sous le sermant quil a fait.

[*Signed*]

Ducharme	Daniel McElduff
pierre laperche	B^te^ Dubuque
Phillipe Engel	A^t^ Girardin.

Et Ledit jour En vertu de la declaration ci dessus faite par le S^r^ daniel mich[1] Doff Et de Sa requisition au bas dicelle. il es enjoint et ordonné aux bailly. ou huissier de cette dependances ou autres quil apartiendra sur cette Rive ameriquaine de Saisir Et arreter Le Corp et personne du S^r^ de Clamorgan par tout ou il poura être trouvé sur cette terre et dependance ameriquaine pour etre detenû prisonnier dans les prison de cette cour ou autres ou il poura être pris jusques a son Entiere justification et quil en soit par justice ordonné donné par la Cour lesd^t^ jour Et an.

A^t^ Girardin.

[1] At the end of the volume containing the settlement of the Charleville estate,—*Cah. Rec.*, in Belleville, Ill., there has been bound the following letter addressed to Antoine Girardin: "Sir: When I was last at St. Louis, I settled all matters in Difference between me and Mr. James Clamorgan. for which reason and in pursuance of our Settlement I beg that the process issued out of your Court at my Instance, may. (if you & the Court should think proper) be stopped & that no further Proceedings may be made therein.

On my Return from St. Louis to this Place I called at your House with the Intention of giving you the same advice but as I was not fortunate enough to find you at Home I take this opportunity to inform you of it. I am Sir your most obedient & very obliged humble servant, Danl McElduff. Kaskaskia 9th July 1789"

said slaves at Ste. Genevieve at the house of M. Vallé; and this he had done, with the exception of a negress who was in child bed and whom he had agreed to send after her recovery. After the said negroes were sent across to Ste. Genevieve, the said M. Clamorgan, instead of keeping his agreement, obtained by deceit a writ of seizure from M. Peyrez, commandant at St. Louis, to obtain possession of the said slaves and M. Fr. Vallé received an order from M. Peyrez to deliver them to him; and he took them to St. Louis where they are in his possession; and he delivered to M. Dubreuil the covenant which they had signed together; and that some days after, he came down with two negroes to make the house-breaking and abduction of the negress who remained behind, even as the deponent has deposed in the beginning of the present declaration.

That, since such a deception could only be regarded as a manifest theft and nocturnal abduction with house-breaking and manifest fraud, the deponent prayed for a writ against the said M. Clamorgan to prosecute him by criminal action, where he may be found; praying to this end that there be delivered to him a *capias* for his apprehension and arrest on this bank, if he can be discovered here; and he declares under the oath which he has made that his present deposition is sincere and true.

[*Signed*]

DuCharme.	Daniel McElduff.
Pierre Laperche.	Bte. Dubuque.
Philippe Engel.	Ant. Girardin.

And the same day in virtue of the declaration hereabove made by M. Daniel McElduff and of his requisition there below, commands and orders are given the bailiff or *huissier* of this dependency, or others whom it shall concern on this American bank, to apprehend and arrest the body and person of M. Clamorgan wherever he can be found in this land and American dependency that he may be detained a prisoner in the prison of this Court, or of others where he may be apprehended, until his entire vindication and a decree thereof by justice has been made. Given by the Court the said day and year.[1] Ant. Girardin.

a la meme cour.

delivré une Saisie au S^r pierre laCoste Contre Chatelereau provisoire et privilegie avec injonction au S^r mailler de la faire Executer p^r la s^e de de [*sic*] douze Cent quatre dix livres quatre sols en pelterie.

La Cour est ajournée au 1^{er} juillet prochain.

A^t Girardin.

du 10 [?] juin delivré une saisie contre pierre Billet a la requisition de piere La fleur pour saisir un Boeuf ou une jeune paire de boeuf quil a Echange a piere martin.

du 18 juin delivré un ordre a francois harnoux p^r faire payer 13 minots de bled a la sucession de moore p^r Les frais de recolte adressé a M^r Biggs Et Bond Executeurs testamentaire.

du 30 [*sic*] juin delivré une saisie a B^{te} mercier Entre les mains de B^{te} alary sur Charles Bequet p^r saisir neuf piastres que led^t alary doit a bequet.

du 23 juin 1789. Delivré une Saisie a David Waddel pour saisir conservatoirement Et privilegier^{mt} Les Biens mobiliairs Et Effets app^{ts} a francois Clark tant a la belle fontaine grand Ruisseau que autres Endroits de ce district. ladite saisie portant prise de Corp contre led^t francois Clark pour la somme de six Cent vingt huit livres en piastres Echus depuis le 1^{er} 8^{bre} 1788 a deffaud par luy de payer signée led^t ordre dantoine girardin Presidant.

du 30 juin. Delivré une ordre dassignation a Isidore savoy dit Cadien contre m^r de S^t pierre curé p^r paroitre a la cour du 1^{er} juillet.

du meme. jour. delivré un ordre dassignation a Gabriel Baron Contre pierre martin p^r paroitre a la meme cour.

Evidently a later insertion after the following entries were made.

At the same Court.

Issued a writ of seizure to M. Pierre LaCoste against Chatelereau, provisional and privileged, with injunction to M. Mailhet to have it executed for the sum of twelve hundred and forty *livres* four *sols* in peltries.

The Court adjourned to the first of next July.

Ant. Girardin.

June 10 [?], issued a writ of seizure against Pierre Billet at the requisition of Pierre Lafleur to attach an ox or a yoke of young oxen which he exchanged with Pierre Martin.

June 18, issued a summons to François Harnoux to compel the estate of Moore to pay 13 *minots* of wheat for the costs of the harvest, addressed to MM. Biggs and Bond, testamentary executors.

June 30[1] issued a writ of seizure to Bte. Mercier into the hands of Bte. Alarie on Charles Becquet to seize nine *piastres* which the said Alarie owes Becquet.

June 23, 1789, issued a writ of seizure to David Waddel to seize by way of preservation and privilege the personal goods and effects belonging to Francis Clark in Bellefontaine, Grand Ruisseau and other places of this district. The said writ of seizure contains a *capias* against the said Francis Clark for the sum of six hundred and twenty-eight *livres* in *piastres*, due since October 1, 1788; given for default of payment by him and the said writ is signed by Antoine Girardin, President.

June 30, issued a summons on complaint of Isidore Savoy called Cadien against M. de St. Pierre *curé* that he appear at the Court July 1.

Same day, issued a summons to Gabriel Baron against Pierre Martin that he appear at the same Court.

a une Cour du l^er^ juillet 1789.

M^rs^ ant^e^ girardin Presidant — B^te^ Dubuque
Philipe angel — Louis Chatel
Charle Ducharme — henry Biron
p^re^ Laperche

M^r^ CHARLES CADRON demandeur Contre MATURIN BOUVET deffendeur

Le S^r^ Charles cadron Reclame une Cloche Contre le S^r^ Bouvet quil dit SEtre Reservé de parolle verballe. Et comprise dans ses autres meubles quil Sest reservé par son contrat de vente consenty aud^t^ s^r^ Bouvet Et a declaré quil Setoit reservé Expressement la Cloche de parole verbale avec led^t^ s^r^ Bouvet.

oui led^t^ S^r^ Bouvet quil a dit que le s^r^ Cadron lui avoit vendû la Cloche Et quelle faisoit partie du fond Etant Cloué Et atachée sur deux poteaux En terre avec des planches Clouée dessus les poteaux Et quil dit faire partie du terrain comme y Etant atachée et plante.

Led^t^ S^r^ S^t^ pierre [*sic*] a repliqué que quoy que la Cloche ne soit pas expressement reservé Sur le contract. quil Se lest reservé par trois fois de parole verbale avec led^t^ s^r^ Bouvet.

ce que led^t^ S^r^ Bouvet a desnié et a soutenu que led^t^ s^r^ Cadron la luy avoit vendue ce qui a Eté Egalement denié par led^t^ s^r^ Cadron qui a Soutenû que la Cloche lui apartenoient.

Vû les demandes repliques et reponses des parties la Cour aprés avoir murement deliberé que la Cloche Etant atachée sur des Poteau planté en terre Et couverte avec des planches, fait partie du fond Et y est accessoire Et en concequance ne pouvant S'oter Sans fracture ny ayant dailleurs aucune Convention particuliere par Ecrit qui prouve que led^t^ s^r^ cadron se Lest reservé particulierement. ladite Cour adjuge la Cloche au fond Comme En faisant partie, condamné le s^r^ Cadron aux frais de la sentence.

M^r^ de S^t^ pierre curé de cette paroisse a presenté une requete en datte de cejourdhuy Reclamant des madriers apartenant a

[1] A large bell used to call the farm-hands to meals.

[2] A clerical error M de St. Pierre was in the room waiting for his suit to be called.

At a Court, July 1, 1789.

MM. Ant. Girardin, President. Bte. Dubuque
Philippe Engel. Louis Chatel.
Charles DuCharme. Henry Biron.
Pierre Laperche.

M. Charles Cadron, Plaintiff, *vs.* Maturin Bouvet, Defendant.

M. Charles Cadron claims a bell from M. Bouvet which he said he had reserved by verbal agreement and included with the other pieces of furniture which he had reserved by his contract of sale entered into with the said M. Bouvet, and he declared that he had reserved the bell expressly by verbal agreement with the said M. Bouvet.

Heard the said M. Bouvet who said that M. Cadron had sold him the bell and that it was part of the grounds, as it was nailed and attached to two posts set in the earth and planks were nailed above the posts, and that it made part of the land as being attached to and planted therein[1].

The said M. St. Pierre [M. Cadron?][2] replied that although the bell was not expressly reserved in the contract, that he reserved it three times by verbal agreement with the said M. Bouvet.

This the said M. Bouvet denied and maintained that the said M. Cadron had sold it to him, which has been equally denied by the said M. Cadron, who maintained that the bell belonged to him.

In consideration of the prayers, replies and answers of the parties and after having maturely considered that the bell, since it was attached to posts set in the ground and covered with planks, made part of the grounds and is appurtenant to it and consequently could not be taken away without breaking, and that besides there was no specific agreement in writing which proves that the said M. Cadron reserved it particularly, the said Court adjudges the bell to the grounds as making part thereof and condemns M. Cadron to pay the costs of the judgment.

M. St. Pierre, *curé* of this parish, presented a petition under date of to-day, in which he claims some joists belonging to the church of Cahokia, which are in the house belonging to Pierre

L Eglise des cahos qui sont dans la maison vendue par decret a la porte de leglise saisie en vertu de lhypoteque que deffunt dubuque avoit sur ladite maison appte a pierre martin. dont les marguilier ont fait leur declaration a la deuxe Criée ladite maison adjugé a Mr dumoulin a la troisieme Criée pour deux cent Cinq livres. ladite Cour assemblée ordonne sur ladite requete que les madriers Seront payez a raison de trois livres la piece par qui il apartiendra suivant lestimation qui En a Eté cy devant faite et que sil ne se trouvoit pas la quantité que martin a Emprunté dans sa maison que ce qui sen manquera sera payé sur le prix de ladjudication de la maison.

Isidore savoye dit cadien Contre Mr St pierre Curé

Le demandeur Reclame quatre minots de pois que Mr St pierre lui a saisy et quil a laissé aprés la saisie laissé pourir dans lendroit saisy, lesdits pois a raison de 10lb le minot font 40lb ladite Saisie ayant eté faite pr 14lb que ledt savoye offre de diminuer sur les 40lb. oui Mr Sr pierre par Mr philipe angel qui a dit que ledt demandeur ne sEtoit pas arangé avant son depart pr Les petites cotes. parties ouis la Cour a condamné Mr St pierre a payer audt saye [*sic*] demandeur la somme de vingt six livres pr lexedant de la perte des pois Et aux frais liquidez a 15lb.

At Girardin

Le Sr Labuxiere a representé quil avoit fait toutes Ses diligences pr le recouvrement de la sucession de deffunt dubuque Et meme fait son protest a la porte de lEglise dont la Cour a Connoissance. En concequance il luy sera tenû compte de Son recouvrence et tant des Billets quil naura pû recouvrer que de ceux quil a recouvré a dix pr Cent En fais[an]t par luy aux debiteurs une simple sommation de payer par lhuissier.

du 5 juillet. delivré une saisie et arret a francois Chevalier Contre antoine lamarche jusqua ce quil se soit arangé Entreux.

[1] St. Charles, in Missouri.

Martin, that was sold by decree at the door of the church, after being seized by virtue of the mortgage which the deceased Dubuque had on the said house; concerning which joists the church wardens made their affidavit at the second crying of the auction, and the said house was adjudged at the third crying to M. Dumoulin for two hundred and five *livres*. The said Court assembled decrees concerning the said petition that the joists shall be paid for at the rate of three *livres* the piece by whomsoever it shall concern in accordance with the appraisement which has herebefore been made of them; and that, if there should not be found in the house the quantity that Martin borrowed, what is lacking shall be paid for out of the price of the auction sale of the house.

Isidore Savoy called Cadien *vs.* M. St. Pierre, curé.

The plaintiff claims four *minots* of peas which M. St. Pierre seized and which he allowed to rot in the place where they were seized. The said peas at the rate of 10 *livres* the *minot* amount to 40 *livres* and the said seizure was made for 14 *livres*, which the said Savoy offers to deduct from the 40 *livres*. Heard M. St. Pierre, represented by Philippe Engel, who said that the said plaintiff had not made arrangements before his departure for the Little Bluffs.[1] Parties heard, the Court condemned M. St. Pierre to pay to the said Savoy, the plaintiff, the sum of twenty-six *livres* for the excess of the loss of the peas and to pay the costs, set at 15 *livres*. Ant. Girardin.

M. Labuxiere set forth that he had made all diligence possible in the collection of the debts due the estate of the deceased Dubuque and had even made his protest at the door of the church, of which the Court has knowledge. Consequently there shall be allowed him for all his labor of collecting the notes, both for those on which nothing has been paid and for those which he has collected, ten percent, after he has made a simple summons to pay through the *huissier*.

July 5, issued a writ of seizure and arrest to François Chevalier against Antoine Lamarche to be in force until arrangements are made between them.

A une Cour tenue Extraordinairement le 14 juillet 1789 tenue par

M^rs ant^e girardin presidant	Louis chatel
jean B^te dubuque	henry Biron
Charle ducharme	pierre Laperche
Philipe angel	

Entre IZIDORE SAVOYE et CATHERINE PENCRASSE sa femme plignant demandeurs Contre JEAN B^te LABECASSE acusé detenu aux fers au deffau de prison deffendeur

Ladite Catherine pencrasse accuse ledit jean B^te LaBecasse davoir eté chés Elle luy demander si elle vouloit venir avec Sa femme p^r Ramasser des mures Et quelle luy avoit Repondû que ouy, quil lavoit prise En croup deriere luy et quil avoit passé le pont de la prairie du pont et avoit suivy le vieux Chemain des clostures et quetant dans le Chemain ledit la Becasse avoit fourché un petit sautier dans le Bois, quelle luy avoit dit ou me mene tu ce nest pas la le Chemain quil luy avoit dit alors Etant avancé dans le Bois descend, il faut que je jouisse de toy. qualors Elle avoit dit que cela ne seroit pas Et quelle ny Consenteroit pas. quetant descendue de Cheval led^t La Bacasse lavoit prise et lavoit jetée par terre malgré les Cris quelle jetoit Et malgré toute sa resistance et quil en avoit joui Et lavoit violée nayant pas asez de force p^r soposer a son Entreprise Et quil luy avoit meme meurtri un Sain ou elle avoit deja mal quil lui avoit Ensuite demandé si elle vouloit quil la ramene au village, quelle ne sy etoit pas oposée parce quelle se trouvoit dans le bois et quil lavoit Ramenée jusques au pont ou elle avoit descendû de deriere luy et quil lavoit quittee a cet Endroit dans un Etat de la plus grande affliction.

, oui aussi led^t Labecasse qui est convenû avoir Eté Chercher ladite catherine pencrosse chéselle p^r aler aux mures et quil convient luy avoir fait la proposition En Chemain mais quil ne lavoir point touchée ni forcée Et quil convient avoit tor de luy avoir fait cette proposition quil etoit pris de Boisson Et que ladite pencrasse nacuse pas la verité lors quelle dit quil la forcée, que voyant quelle ne vouloit pas consentir il lavoit Ramené au pont ou il

At a Court meeting in special session, July 14, 1789, held by MM. Ant. Girardin, President. Louis Chatel.
Jean Bte. Dubuque. Henry Biron.
Charles DuCharme. Pierre Laperche.
Philippe Engel.

ISIDORE SAVOY and CATHERINE PENCRASSE, on complaint of his wife, Plaintiffs, *vs.* JEAN BTE. LABECASSE accused and held in irons for lack of prison, defendant.

The said Catherine Pencrasse accuses the said Jean Bte. Labecasse of coming to her house to ask her if she wished to come with his wife to gather mulberries and that she had answered, "yes;" and that he had taken her behind him on the croup and that he had passed the bridge of the Prairie du Pont and had followed the old road of the enclosures, and that being in the road the said Labecasse had turned off on a little path in the woods; and that she had said to him: "Where are you taking me? This is not the road;" that he had said, after having advanced into the woods: "Get down! I must enjoy you;" that, when she had said that this should not be and that she would not consent thereto, he, having dismounted, had taken her and thrown her on the ground in spite of the cries which she uttered and in spite of all her resistance, and that he had enjoyed her and had violated her, since she did not have enough strength to oppose his undertaking; and that he had even bruised one of her breasts which was already sore; that he had afterwards asked if she wished him to take her to the village and that she had made no opposition because she was in the woods; and that he had brought her back to the bridge, where she had dismounted from behind him; and that he had left her in that place in a condition of greatest affliction.

Heard also the said Labecasse who acknowledges that he had sought out the said Catherine Pencrasse at her house to go for mulberries; and he acknowledges that he had made the proposal to her on the road, but he says he did not lay his hands on her or force her; and he acknowledges that he was in the wrong in having made the proposal to her and that he had been drinking;

lavoit quittée. qui est tout ce quils ont dit pour leurs demandes et deffences.

Le tout examiné Et consideré la Cour ayant En connoissance que ladite catherine pencrasse setoit deja exposée il y a deux ans a Etre forcée par ledit Labecasse par le recit qui en a Eté fait au presidant de la cour Et Setant de Nouveau exposée volontairement aux Entreprises dud^{t} Labecasse p^{r} avoir accepté la partie de mures quil luy a proposé Et ayant dans le Bois remonté deriere led^{t} labecasse p^{r} sen revenir au village aprés le pretendû viol quelle dit avoir Eté commis En sa personne. ce qui paroit a la Cour quelle na pas Evité ny Eloigné le danger dont Elle se plaint au Contraire quelle y a donné occasion. La Cour par Deliberation a mis les parties hor de Cour Et de proces a ce sujet Et leur impose silance pour le pretendû viol, deffend aud^{t} Labecasse d'atenter a lavenir sur la Chasteté de ladite pencrasse et le Condamne a rester deux fois vingt quatre heures au fers a la garde du bailly de La Cour ou il Sera noury au pain et a leau a commencer de ce jour heure presente Enjoint au bailly dy tenir la main Et que la presente punition soit observé Et ce a cause de latentat que led^{t} Labecasse a formé contre la vertu de ladite pencrasse. Condamme ladite Cour les parties En Chacun la moitié des frais de Lextraordinaire ce qui sera Executé.

[*Signed*]

DuCharme	Philipe Engel
sa	B^{te} Dubuque
Louis + Chatel	hBi
marque	pierre Laperche
Labuxiere grefier	A^{t} Girardin.

Sur les representations faite a la Cour par M^{r} francois trotier commandant de ce poste des propos inconcideré tenus publiquement par M^{r} francois saucier dans la Boisson, ou il a manqué a plusieurs personnes En leur offrant les armes avec des termes impropres et refusant dobejir a la garde qui avoit ordre de Larreter et avoir Causé du scandale la Cour ordonne que led^{t} s^{r} saucier tiendra prison vingt quatre heures Et le Condamme en

and he says that the said Pencrasse does not speak the truth, when she says that he forced her; that when he saw that she was unwilling to consent, he had brought her back to the bridge where he had left her. This is all that they have said in regard to their prayers and defences.

All examined and considered the Court knowing, from a recital which has been made to the president of the Court that the said Catherine Pencrasse has once before, two years ago, exposed herself to being forced by the said Labecasse and that she again voluntarily exposed herself to the undertaking of the said Labecasse by having accepted the invitation to go berrying, which he proposed to her, and that in the woods she remounted behind the said Labecasse to return to the village after the pretended violation, which she says had been committed on her person, is of the opinion that she has not avoided nor kept out of the way of the danger of which she complains, but that on the contrary she gave occasion to it. The Court by decree non-suits the parties and imposes silence in regard to the pretended violation, and forbids the said Labecasse to make an attempt on the chastity of the said Pencrasse in the future and sentences him to remain two times twenty-four hours in irons in the custody of the bailiff of the Court, where he shall be fed on bread and water commencing from this day, the present hour, and commands the bailiff to see to it that the present punishment be observed and this because of the attempt which the said Labecasse made on the virtue of the said Pencrasse. The said Court condemns each of the parties to pay half of the costs of the special session for which there will be execution.

[*Signed*]

DuCharme. Bte. Dubuque

Philippe Engel. hBi

His Pierre Laperche.

Louis + Chatel Ant. Girardin.

mark

Labuxiere, Clerk.

On the representation made to the Court by M. François Trottier, commandant of this post, of the thoughtless talk made

six piastres damande p^r Leglise ce qui sera executé. le condamne aux frais

[*Signed*]

DuCharme	Pierre Laperche
Philipe Engel	B^te Dubuque
sa	hBi
Louis + Chatel	A^t Girardin.
marque	
Labuxiere N^re	

a une autre cour extraordinaire du meme jour.

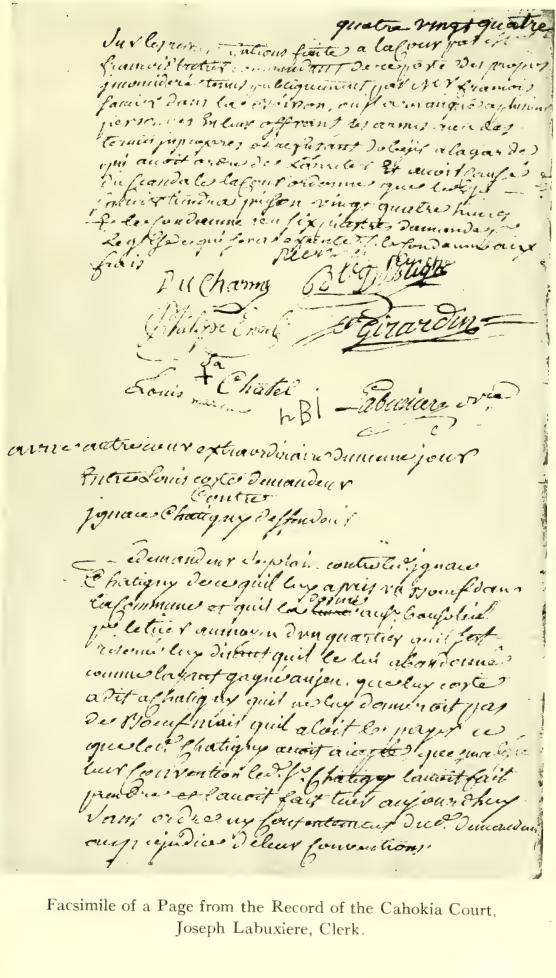
Entre Louis Coste demandeur Contre Ignace Chatigny deffendeur

Le demandeur se plain contre led^t ignace Chatigny de ce quil luy a pris un Boeuf dans la Commune et quil la donné au s^r bausoleil p^r le tuer au moyen dun quartier quil sest reservé luy disant quil le lui abandonné comme layant gagné au jeu. que luy Coste a dit a Chatigny quil ne luy donneroit pas de Boeuf mais quil aloit le payer ce que led^t Chatigny avoit accepté, que malgré leur Convention led^t s^r Chatigny lavoit fait prendre et lavoit fait tuer aujourdhuy Sans ordre ny Consentement dud^t demandeur au prejudice de leur Conventions.

oui led^t Chatigny qui reconnû quil Etoit Convenû avec led^t Coste de recevoir le billet dud^t Coste En payement, mais quayant tardé a luy remetre le Billet Et ayant refusé a francois lapensée de livrer le billet il avoit dit a Beausoleil de Sen aranger pourvû quil luy en donne un quartier.

Le demandeur a repliqué quil avoit gagné ce Boeuf aud^t Beausoleil, que led^t Beausoleil le luy avoit livre. Et que le s^r Chatigny ne devoit pas en disposer ny Se payer par Ses mains. aprés Etre Convenû de Saranger Entreux Et de Recevoir le Billet du demandeur.

led^t Chatigny a demandé la deposition de francois lapensée qui a linstant est Conparû aprés sermant par luy fait de dire la verité a dit qutant [*sic*] present au jeu des parties. Et quapres que led^t Coste a En perdû le Boeuf quil a dit a Chatigny le Boeuf est a vous il vous apartient Et que le s^r alary sy Etant trouvé luy dit



Facsimile of a Page from the Record of the Cahokia Court,
Joseph Labuxiere, Clerk.

publicly by M. François Saucier while under the influence of drink, wherein he insulted several persons by challenging them and using improper expressions, and of his refusal to obey the guard who had an order to arrest him and of having been the occasion of scandal; the Court decrees that the said M. Saucier shall be confined in prison for twenty-four hours and condemns him in six *piastres* fine to the church for which there will be execution. Condemned him to pay the costs.

[*Signed*]

DuCharme.	Pierre Laperche.
Philippe Engel.	Bte. Dubuque.
His	H B i
Louis + Chatel.	Ant. Girardin.
mark	Labuxiere, Notary.

At another Court in special session of the same day.

Louis Coste, Plaintiff, *vs.* Ignance Chatigny, Defendant.

The plaintiff brings complaint against the said Ignance Chatigny that he took an ox of his in the commons and gave it to M. Beausoleil to slaughter on condition of a quarter being reserved for himself, and he said to the plaintiff that he had lost it to him, since he (Chatigny) won it at play; that he, Coste, said to Chatigny that he would not give him any ox, but that he was going to pay him and this the said Chatigny had accepted; that in spite of their agreement the said M. Chatigny had had it taken and slaughtered to-day without order or consent of the said plaintiff and contrary to their agreement.

Heard the said Chatigny who acknowledged that he had agreed with the said Coste to receive the note of the said Coste in payment; but, since he had delayed remitting the note and had refused to deliver the note to François Lapancé, he had said to Beausoleil to make his arrangements about it, on condition that he gave him a quarter thereof.

The plaintiff replied that he had won this ox from the said Beausoleil and that the said Beausoleil had delivered it to him; and that M. Chatigny ought not to have disposed of it nor have paid himself by his own hands, after having agreed to make

a coste si vous ne jugez pas propos de venir le livrer je le Connois je vous le montreray.

Le S^r^ B^te^ alary est comparû aprés sermant par luy fait de dire la verité. a dit quil avoit offert de montrer le Boeuf a Chatigny parce quil le Connoissoit, Mais que Coste Navoit Rien repondû, quil avoit Seulement dit Nous verrons.

parties ouis avec les temoins la Cour Condamne le s^r^ Chatigny a rendre ou payer un pareil Boeuf aud^t^ Louis Coste sans delais Et Ennule le jeu Entreux condamnons En outre led^t^ Chatigny aux frais de Lextraord^re^ ce qui sera executé. les quels frais montant a deux cent trente Cinq livres seront payez aud^t^ Coste par led^t^ Chatigny Sans delais.

[*Signed*]

Philipe Engel	DuCharme
Pierre Laperche	hBi
sa	B^te^ Dubuque
Louis + Chatel	A^t^ Girardin.
marque	

29 juillet La Cour est ajournée au 1^er^ aoust 1789.

Delivré un ordre d'assignation a francois harnoux contre michel peltier dit antaya p^r^ paroitre a la Cour du 1^er^ aoust prochain.

30 juillet delivré a M^r^ jean dumoulin une saisie provisoire et Conservatoire des sucres Effets pelterie, Creances et debtes que le s^r^ Jean B^te^ dubuque a Entre Ses mains appartenants au S^r^ LaCoste actuellement a la riviere des ilinois avec deffences de Sen dessaisir quil nen soit par la Cour ordonné.

J^n^ Dumoulin.

7 aout delivré un ordre a M^r^ aRondel Contre Louis Coste.

[1] No reason known for the heavy costs.

arrangements with him and to receive the note from the plaintiff.

The said Chatigny demanded the deposition of François Lapancé, who now appeared and after oath had been made by him to tell the truth, said that he was present at the game between the parties, and that, after the said Coste lost the ox, he said to Chatigny, "The ox is yours, it belongs to you," and that M. Alarie who was present said to Coste: "If you do not judge it fitting to come to deliver it, I know it and will show it to you."

M. Bte. Alarie appeared and after oath was made by him to tell the truth, said that he had offered to show the ox to Chatigny, because he knew it; but that Coste had answered nothing, that he had only said, "We will see."

After the parties and the witnesses were heard, the Court condemns M. Chatigny to render, or pay for, a similar ox to the said Louis Coste without delay and annuls the play between them. We condemn furthermore the said Chatigny to pay the costs of the special session, for which there will be execution. These costs amount to two hundred and thirty five *livres* and shall be paid to the said Coste by the said Chatigny without delay.[1]

[*Signed*]

Philippe Engel.	DuCharme.
Pierre Laperche.	hBi
His	Bte. Dubuque.
Louis + Chatel	Ant. Girardin.
mark	

July 29, the Court adjourned to August 1, 1789.

Issued a summons to François Harnoux against Michel Pelletier called Antaya that he appear at the Court of the first of next August.

July 30, issued to M. Jean Dumoulin a provisional and conservative seizure of the sugar, effects, peltries, claims and debts, which M. Jean Bte. Dubuque has in his possession, belonging to M. LaCoste at present at the Illinois river, with prohibition to divest himself thereof except he be ordered thereto by the Court.

Jn. Dumoulin.

August 7. Issued a summons to M. Arundel for Louis Coste.

a une Cour du 8 aoust 1789.

M^rs^ antoine girardin	Philipe angel
B^te^ dubuque	Louis chatel
Charles ducharme	henry Biron

Le S^r^ William aRundel demandeur Contre Louis Coste deffendeur

Le demandeur demande au deffendeur la livraison de Six milliers de farine quil luy doit par Ses Billets Echus ne pouvant atendre plus long terme a cause de Son Voyage de misilimakinac Et quil soit Condamné aux frais.

Oui le deffendeur quil a reconnû Ses Billets Et devoir ladite quantite de farine et a dit p^r^ deffences quil offroit de payer mais quil avoit Besoin de quelques jours de delais pour pouvoir faire batre son Bled, le faire moudre et faire payer ceux qui lui doivent, quil requeroit un delais suffisant. qua bout du terme que le s^r^ arondel pouroit luy accorder ainsy que la Cour il prometoit de payer En Entier.

Vu par la Cour les Billets dud^t^ Coste Echus. Et les recoltes que lon vient de finir.

La Cour du consentement dud^t^ s^r^ arondel a accordé aud^t^ Coste le reste de ce present mois daoust pour payer les six milliers de farine aud^t^ s^r^ aRundel p^r^ tous delais, faute de quoy Et led^t^ tems passé le condamnons a payer Sans delais a quoy faire il sera Contraint par saisie Et vente de Ses Biens le Condamnons aux frais et depens.

Le S^r^ Grassiot Negociant de la Rive espagnole Est intervenû pour la dame veuve Groot lequel a demande quil soit surcit toutes poursuittes ny quil soit donné aucunnes Saisies Et Rendû aucunnes sentences Contre la Succession dud^t^ deffunt groot son Mary quelle n'ait pris Connoissances des Creances de ladite sucesion Et des Biens dicelle afin de pouvoir Se metre En Etat de payer un Chacun Si la Sucession Suffit.

Sur quoy la Cour a accordé au s^r^ grassiot p^r^ ladite veuve dicy au mois de Novembre prochain p^r^ tout delais pour prendre les Connoissances Requises. Se reservant ladite Cour le droit et privilege darreter et Saisir Lesdits Biens qui sont sur Son district

At a Court, August 8, 1789.

MM. Antine Girardin.	Philippe Engel.
Bte. Dubuque.	Louis Chatel.
Charles Ducharme	Henry Biron.

M. William Arundel, Plaintiff, *vs.* Louis Coste, Defendant.

The plaintiff demands of the defendant the delivery of six thousand pounds of flour, which he owes him according to his matured notes, and for which the plaintiff cannot wait longer because of his journey to Michillimakinac; and prays that the defendant be condemned to the costs.

Heard the defendant who said that he acknowledged his notes and that he owed the said quantity of flour, and said for defence that he offered to pay, but that he needed some days delay in order to have his wheat thrashed and ground, and to make those pay who owed him, and that he prayed for a sufficient delay; that, at the end of the time which M. Arundel and the Court could grant him, he promised to pay in full.

The Court having seen the matured notes of the said Coste and the crops, the harvesting of which has just been finished, with the consent of the said M. Arundel, granted the said Coste the balance of this present month of August to pay the six thousand pounds of flour to the said M. Arundel and no longer; in default of which after the said time is passed, we condemn him to pay without delay, to do which he shall be constrained by seizure and sale of goods. We condemn him to pay the costs and charges.

M. Gratiot, merchant from the Spanish bank, intervened for Madame Groot, widow, and prayed that there be stayed all suits and that there should not be given any seizures nor rendered any judgments against the estate of the said deceased Groot, her husband, until she has informed herself of the assets of the said estate and of the goods thereof in order to be in a position to pay each creditor, if the estate sufficed.

Whereupon the Court granted M. Gratiot for the said widow from now to the month of November next and no longer in order to obtain the requisite knowledge; and the said Court reserves to itself the right and privilege to attach and seize the said goods

qui ne pouront être transferez Sur lautre Rive sans quau préalable Et avant toute Choses les Creanciers de ce District ne soient Entierm^{t} payez et Satisfait de ce qui poura leur Etre dub. Et En Cas de refus de payement lesd^{t} Biens etre vendus jusques a parfaite liquidation Par deliberation.

A^{t} Girardin.

Sur les contestations Entre Pierre troge Et Jacques Piquet pour une petite fille remise par la dame piquet a la dame troge. Et que ladite femme piquet Reclame La Cour a decidé que la dame troge Rendra lenfant a la femme piquet Sa mere, Sous les conditions que piquet ou sa femme payeront a la dame troge sa penssions Entretiens Soins et peines quelle a pris depuis quelle la et du jour que ladite piquet la luy a remise sur le compte que produira le s^{r} troge ou sa femme qui sera taxé par deux arbitres qui nommeront un troisieme En Cas de Contestations Entreux, Et le reliquat de compte payé comptant aud^{t} troge par led^{t} piquet et sa femme avant d'Enlever L'enfant ordonnons aud^{t} piquet dy satisfaire sans delais.

La Cour est adjournée au 1er de 7^{bre} prochain.

A^{t} Girardin.

7 Aout delivre un ordre a francois Clark contre david Waddell p^{r} paroitre a la cour du 1er 7^{bre} avec deffences de metre la saisie quil a obtenu contre led^{t} Clark a execution, non plus que de transporter les Billets dud^{t} Clark a peine de nulite des transports.

10 aoust delivre un ordre a Benjamain B'ayram Contre david Waddel p^{r} paroitre a la Cour prochain du 1er 7^{bre}.

15 aoust Delivré un ordre de Saisie au S^{r} Bouvet Contre le Nommé Buyat p^{r} saisir Entre Les mains de piere troge le bled ou autre Effets quil peut avoir Entre ses mains app^{t} aud^{t} Buyat p^{r} sureté de la somme de Cinquante sept livres quil doit aud^{t} S^{r} Bouvet. avec deffences de Sen dessaisir a peine dEn repondre la dite saisie donné par jean B^{te} dubuque magistra a bas du compte dud^{t} S^{r} Bouvet.

N Bouvet.

du 5 7^{bre} delivré un ordre a Charles quil [*sic*] habitant de la prairie du pont Contre Nicolas schemitz du grand Ruisseau p^{r} paroitre a la Cour de mardy prochain 8 de ce mois.

which are in this district, which goods may not be transferred to the other bank until first of all the creditors of this district be paid in full, and satisfaction made for that which may be due them; and in case of refusal of payment the said goods are to be sold up to perfect liquidation. By resolution.

Ant. Girardin.

In regard to the dispute between Pierre Troge and James Piggott over a little girl confided by Madame Piggott to Madame Troge and whom the said woman Piggott reclaims, the Court decided that Madame Troge shall return the child to the woman Piggott, her mother, under the condition that Piggott or his wife shall pay Madame Troge for the board, maintenance, care and trouble, which she has given, since she has had her and from the day that the said Piggott confided her to her care, according to the account, which the said Troge or his wife shall bring and which shall be estimated by two arbitrators who shall name a third in case of disagreement between them; and the balance of the account shall be paid in cash to the said Troge by the said Piggott and his wife before taking the child away. We command the said Piggott to satisfy it without delay.

The Court adjourned to the first of September next.

Ant. Girardin.

August 7. Issued a summons to Francis Clark against David Waddell that he appear at the Court of September 1st, with prohibition to put into execution the seizure, which he obtained against Clark, or to assign the notes of the said Clark on penalty of nullity of the assignments.

August 10. Issued a summons to Benjamin Byram against David Waddell that he appear at the next Court of September 1.

August 25. Issued a writ of seizure to M. Bouvet against the named Buyat, to attach the wheat or other effects, which Pierre Troge may have in his possession belonging to the said Buyat, for surety of the sum of fifty-seven *livres*, which he owes the said M. Bouvet, with prohibition to Troge to divest himself thereof on penalty of being held responsible for the said seizure of them. Given by Jean Bte. Dubuque, magistrate, below the account of the said M. Bouvet. N. Bouvet.

du 7 7^{bre} 1 ordre a M^{r} aRondel contre ant. harmand dit sans facon.

dud^{t} jour un ordre a M^{r} aRundel Contre j B^{te} Labecasse.

8 7^{bre} un ordre a frs monplesir Engagé disidore LaCroix contre joseph marie.

a une Cour du 8. 7^{bre} 1789.

M^{rs} ant^{e} Girardin Presidant	henry Biron
B^{te} DuBuque	Philipe angel
p^{re} Laperche	Charle ducharme

8 7^{bre} delivré un ordre a Wiliam aRundel contre Louis Coste.

dud^{t} jour a la meme Cour.

M^{r} WILLIAM ARUNDEL demandeur Contre LOUIS COSTE defendeur

Sur la requete du s^{r} aRundel demandant aud^{t} Coste la somme de onze Cent soixante dixhuit livres Six sols. vû les reponse dud^{t} coste la Cour a ordonné que la saisie faite par le s^{r} aRundel sur Louis Gaud de Cent piastres Sera Bonne et valable a ordonné aud^{t} Louis gaud de vuider ses mains En celle du s^{r} aRundel, et ordonne p^{r} les six cent soixante dixhuit livres restant quil payera contant ou tiendra prison jusqua ce quil ait donné Caution solvable. condamne led^{t} Coste aux Depens Et frais.

dud^{t} jour: delivré un decret a thom Bredy Bailly p^{r} areter Louis Coste et le tient a sa garde jusqua ce quil ait donné caution au s^{r} aRundel.

Solivan: Sur Lexposé de jean Solivan quil a preté Sa jument a jean dempsey qui a Eté tue par les sauvages. la Cour ordonne que

[1] I find the name Charles Gill among the names of Americans in Illinois, and suggest it as the name intended here.

[2] The following costs of this case were recorded on a scrap of paper which has been bound into the book near the end:

frais contre coste a la demande de Mr aRundel.	
pr le pre ordre Et sentence Et copie	15
pr 1 requette du 7 7 bre	10
pr Saisie et serment sur louis gaud	10
pr 1 ordre de ce jour pr faire venir Coste	5
pr la sentence sur la registre	5
pr le decret et enregistrement	5
pr le billet	5

September 5. Issued a summons to Charles Gill [?][1] inhabitant of Prairie du Pont against Nicolas Smith of Grand Ruisseau that he appear at the Court of Tuesday next, the 8th of this month.

September 7. One summons to M. Arundel against Ant. Harmand called Sansfacon. Same day. A summons to M. Arundel against J. Bte Labecasse.

September 8. A summons to Fr. Monplesir, *engagé* of Isidore LaCroix, against Joseph Marie.

At a Court, September 8, 1789.

MM. Ant. Girardin, President.	Henry Biron.
Bte. Dubuque.	Philippe Engel.
Pierre Laperche.	Charles DuCharme.

September 8. Issued a summons to William Arundel against Louis Coste.

Same day at the same Court.

M. William Arundel, Plaintiff, *vs.* Louis Coste, Defendant.

At the request of M. Arundel, who demands of the said Coste the sum of eleven hundred and seventy-eight *livres* six *sols*, and in view of the replies of the said Coste, the Court decreed that the seizure made by M. Arundel on Louis Gaud of one hundred *piastres* shall be good and valid; and it commanded Louis Gaud to deliver them into the hands of M. Arundel. And in regard to the six hundred and seventy-eight *livres* remaining the Court decreed that he (Coste) shall pay cash or be confined in prison until he has found solvent bondsman therefor. Condemned the said Coste to pay the costs and charges.[2]

Same day. Issued a decree to Tom Brady to arrest Louis Coste and hold him in custody until he has given surety to M. Arundel.

Sullivan. On the declaration of John Sullivan that he loaned to John Dempsey his mare, which had been killed by the savages,[3] the Court decrees that the said Sullivan shall take Dempsey's and that an appraisement shall be made to decide their relative values, and the difference is to be paid.

[3] Dempsey was supposed to have been killed by the Indians, and he was actually scalped, but recovered from his wound.—Reynolds, *Pioneer History*, 143.

led[t] solivan prendra celui de dempsey Et sera Estimé p[r] savoir si la valeur vaut celle de dimpsey et la plus ou moins valoir etre payée.

a la meme Cour.

M[r] DUMOULIN demandeur Contre PIERRE LACOSTE deffendeur

Le s[r] dumoulin a produit un Compte a luy dub par pierre Coste de la somme de deux mille onze livres douze sols six deniers par ses Billets et comptes. lesquels Billets led[t] LaCoste a reconnû Veritable Et a produit un compte quil repete contre le s[r] dumoulin. La Cour ordonne que les Billets et Comptes produit par le s[r] dumoulin dans lequel est compris les frais des Effets quil a Envoyé Chercher dans la riviere des ilinois seront payez privilegierement led[t] S[r] dumoulin Etant p[r] saisissant[1] sur la pelterie sucre Et autres Effets descendus avec les frais de la presente instance et autres qui seront fait a ce sujet Et quant au compte produit par le s[r] LaCoste ordonne que le Canot y mentionné sera payé par le s[r] dumoulin avec les autres articles le tout a raport darbitres Et Gens Connoissant. ordonne en outre que la pelterie descendue sera delivrée a M[r] dumoulin Sur ce qui luy est dub et si elle ne suffit les sucres seront vendus demain au Contant au plus offrant et dernier Encherisseur jusques a la Concurance de ladite somme Et frais Et si surplus y a deposé au greffe p[r] etre remis a Ses autres Creanciers Et a Eté deduit par ces presentes aprés examen fait du Compte produit par led[t] LaCoste la somme de quatre vingt Cinq livres p[r] le montant dud[t] compte, Evaluation du Canot Et medecine partant revient aud[t] s[r] dumoulin dix neuf cent vingt six livres douze sols six deniers non compris les frais de justice.

a la meme Cour.

Le S[r] DECLAMORGAN demandeur Contre PIERRE LACOSTE deffendeur

Le demandeur demande aù deffendeur le payement de deux Billets lun de la somme de quinze mille neuf cent quarante Sept livres quatorze sols En argent s[t] son obligation En datte du 30 9[bre] 1787. passé au greffe de S[t] Louis par laquelle il apert que led[t]

[1] The words "*Ledt Sr dumoulin Etant pr saisissant*" were inserted in the margin. The asterisk, which marks the place for insertion, was placed after "Sr" and before "La Coste," below. Since the expression is without meaning in that place, I have inserted it here. In both cases the place of insertion falls at the beginning of the line in the manuscript, so that this mistake could easily have been made.

At the same Court.

M. DUMOULIN, Plaintiff, *vs.* PIERRE LACOSTE, Defendant.

M. Dumoulin brought an account due him by Pierre LaCoste for the sum of two thousand and eleven *livres* twelve *sols* six *deniers* according to his notes and accounts; which notes the said LaCoste recognized as true, and he brought an account, which he claims from M. Dumoulin. The Court decrees that the notes and accounts exhibited by M. Dumoulin, in which is included the costs of the effects which he sent to seek at the Illinois River, shall be paid by preference, since the said M. Dumoulin is first judgment creditor,[1] out of the peltries, sugar and other effects brought down, with the costs of the present suit and of others which shall be made in the matter; and as to the account exhibited by M. LaCoste the Court decrees that the canoe mentioned therein shall be paid for by M. Dumoulin with the other articles, all on the report of arbitrators and appraisers. The Court decrees, furthermore, that the peltries brought down shall be delivered to M. Dumoulin on that which is due him; and if it is not sufficient, the sugar shall be sold to-morrow for cash to the highest bidder up to the equivalent of the said sum and costs; and if there is a surplus, it shall be deposited at this office to be remitted to his other creditors. And there has been deducted by these presents, after examination was made of the account exhibited by the said LaCoste, the sum of eighty-five *livres*, as the amount of the said account and the value of the canoe and medicine; therefore there is due to the said M. Dumoulin nineteen hundred and twenty-six *livres* twelve *sols* six *deniers*, which does not include the costs of justice.

At the same Court.

M. CLAMORGAN, Plaintiff, *vs.* PIERRE LACOSTE, Defendant.

The plaintiff demands of the defendant the payment of two notes, one for the sum of fifteen thousand nine hundred and forty-seven *livres* fourteen *sols* in money according to his obligation under date of November 30, 1787, drawn up at the record-office of St. Louis, from which it appears that the said LaCoste should pay at Michillimakinac for the release from M. Clarmorgan a sum of nine thousand *livres* in money; and since he has not satis-

LaCoste devoit payer a missilimakina a la decharge du s^r^ Clamorgan une somme de neuf mille livres En argent a quoy Nayant point satisfait la Cour Condamne led^t^ LaCoste a payer son obligation en Entier avec les interest et frais. Condamne pareillement led^t^ LaCoste a payer son autre Billet montant a la somme de Sept cent quatre vingt trois livres dix huit sols ainsy quil est porté au pied dun Compte avec interest et frais. Le tout aprés que led^t^ LaCoste a Reconnû Ses dits Billets et Comptes. En concequance permet au s^r^ Clamorgan de faire saisir par la suite les effets quil poura trouver apartenir aud^t^ Coste a la reserve de ceux deja saisy Et Sequestrés ce qui sera executé.

La Cour est ajournée au 1^er^ 8^bre^ 1789.

A^t^ Girardin.

du 30 7^bre^ delivré un ordre p^r^ fr trotier contre p^re^ lafleur
un ordre p^r^ fr Saucier contre M^r^ dumoulin
un ordre p^r^ Coste contre sansfacon
un ordre p^r^ idem contre Louval
un ordre p^r^ id contre macarty
un ordre p^r^ id contre martin
un ordre p^r^ id contre janot lapensée
un ordre p^r^ id contre Cecire
un ordre p^r^ id contre antaya

a une Cour du 1^re^ 8^bre^ 1789.

M^rs^ Girardin Presidant — p^re^ Laperche
charles ducharme — henry Biron
jean B^te^ dubuque — Magistra

Entre le s^r^ FRANCOIS TROTIER demandeur Contre PIERRE LAFLEUR deffendeur

Le demandeur reclame contre le deffendeur la somme de quarante sept livres quinze sols par son compte p^r^ fournitures a luy faite le deffendeur a reconnû son compte et a dit quil luy etoit dub sept gardes quil avoit Eté Employé par ordre de M^r^ trotier p^r^ laffaire de brisson demande que cette somme montante a 35^lb^ luy soit deduite sur son compte.

sur quoy la Cour condamne le deffendeur a payer son compte a M^r^ trotier sauf son recour p^r^ ses gardes ainsi quil est decide par la sentence des jurés concernant laffaire de Brisson condamné

fied this, the Court condemns the said LaCoste to pay his obligation in full with interest and costs. The Court condemns the said LaCoste likewise to pay his other note amounting to the sum of seven hundred and eighty-three *livres* eighteen *sols*, as is entered at the foot of an account, with interest and costs; all decreed after the said LaCoste recognized his said notes and accounts. Consequently the Court permits M. Clamorgan to have seized the effects, which he can find, belonging to the said Coste with the reservation of those already seized and sequestered, for which there will be execution.

The Court adjourned to October 1, 1789.

Ant. Girardin.

September 30.

Issued a summons to Fr. Trottier against Pierre Lafleur.
A summons to Fr. Saucier against M. Dumoulin.
A summons to Coste against Sansfaçon.
A summons to the same against Lonval.
A summons to the same against Macarty.
A summons to the same against Martin.
A summons to the same against Janot Lapancé.
A summons to the same against Cesirre.
A summons to the same against Antaya.

At a Court, October 1, 1789.

MM. Girardin, President. Pierre Laperche.
Charles DuCharme. Henry Biron.
Jean Bte. Dubuque. Magistrates

M. François Trottier, Plaintiff, *vs.* Pierre Lafleur, Defendant.

The plaintiff brings a claim against the defendant for the sum of forty-seven *livres* fifteen *sols* by his account for supplies sold to him. The defendant recognized his account and said that there was due him pay for seven guards and that he had been employed by order of M. Trottier for the affair of Brisson and he demands that this sum amounting to 35 *livres* be deducted from his account.

Whereupon the Court condemns the defendant to pay his account to M. Trottier saving his recourse for his guards as it is decided by the verdict of the jurors concerning the affair of Brisson. Condemned Pierre Lafleur to pay the costs which are

pierre lafleur aux frais liquidez a trois piastres qui seront avancés par M^r^ trotier et a luy rembources par la fleur.

La Cour est ajourné au 1^er^ 9^bre^ 1789.

A^t^ Girardin.

LaChanse: du 6 8^bre^ 1789, delivré au s^r^ LaChansse une saisie p^r^ une Vache Et Son vau sur pierre martin.

antaya: dud^t^ jour delivré une saisie a antoine peltier dit antaya contre le nommé Wilson Entre les mains de Louis Coste p^r^ 20 minots de mahis que led^t^ Wilson doit.

du 8 8^bre^ delivré une Saisie avec ordre de vendre a deffaud par pierre troge de vuider ses mains Entre celles du s^r^ Bouvet de la farine ou bled quil a apartenant a antoine Buyat le 1^er^ ordre de Saisie ayant Eté signiffie par thom Bredy le 15 aoust p^r^ la s^e^ de 57. ajouter les frais de ladite saisie Et de present executoire fait 97^lb^ laquelle Executoire a Eté delivrée audit S^r^ Bouvet.

N Bouvet.

Par Extraordinaire a la demande de Charle Germain.

aux temoins

temoins
- 1 ordre a M^r^ trotier
- 1 ordre a ignace Grondine
- 1 ordre a francois Grondine
- 1 ordre a duchenau
- 1 ordre a louis gaud

aux magistrats

1 ordre a M^rs^ girardin
1 idem a Mr Philipe angel
1 id. a Mr dubuque
1 id. a Mr ducharme
1 a Laperche
1 a Biron
1 a Chatel

Les ordres ci dessus nous ont Eté delivrés marq de Brady +

Charles Germain

1 ordre a Louis p^r^ sequestre le Chelval in [*sic*]

set at three *piastres*, which shall be advanced by M. Trottier and reimbursed to him by Lafleur.

The Court adjourned to November 1, 1789.

A. Girardin.

LACHANSE, ANTAYA

October 6, 1789. Issued to M. Lachanse a writ of seizure for a cow and its calf on Pierre Martin.

Same day. Issued a writ of seizure, to Antoine Pelletier called Antaya against the named Wilson, of 20 *minots* of corn in the hands of Louis Coste and which the said Wilson owes.

October 8. Issued a writ of seizure with order of sale because of the failure by Pierre Troge to deliver into the hands of M. Bouvet the flour or wheat, which he has, belonging to Antoine Buyat. The first writ of seizure was served by Tom Brady on August 15 for the sum of 57 *livres*; adding the costs of the present seizure and of the present execution it makes 97 *livres*, which execution was delivered to the said M. Bouvet. N. Bouvet.

Specially at the prayer of Charles Germain.

To the witnesses.

1 summons to M. Trottier.
1 summons to Ignace Grondine.
1 summons to François Grondine.
1 summons to Duchenau.
1 summons to Louis Gaud.

To the magistrates.

1 summons to M. Girardin.
1 ditto to M. Philippe Engel.
1 ditto to M. Dubuque.
1 ditto to M. DuCharme.
1 to Laperche.
1 to Biron.
1 to Chatel.

The summons above named have been delivered to us.

Brady. Mark of
+
Charles Germain.

1 order to Louis to sequester the horse.

A une cour tenue Extraordinairement
a la demande Et requisition de CHARLES GERMAIN Contre LOUIS GAUD.

13 8bre 1789.

Mrs antoine girardin Presidant	Pierre Laperche
charles ducharme	henri Biron
Philipe Engel	Louis Chatel
Bte Dubuque	magistra

Le Sr germain a dit quil reclamoit contre Louis gaud Son cheval que les sauvages lui avoient vole. Et quil avoit fait marché avec ledt Louis gaud que sil luy ramenoit son Cheval quil lui donneroit une vache Et son veau a Choisir sur les siennes, que ledt Louis gaud avoit Emmené le Cheval mais quil ne vouloit pas luy rendre a moins dune vache Et son veau Et de plus un taureau de dix huit mois, quil offroit de remetre ladite vache Et le vau. mais quil netoit pas obligé suivant Ses conventions de donner le tauraux de plus, que ledt Louis gau Etoit libre de lammener pour le prix convenû ou de le laisser. Et conclu[d] aux frais de Lextraordre contre ledt Louis gaud.

Ledt Louis gaud a repondû quil netoit point convenû des faits que ledt germain avance quil est vray quil est convenû avec ledt germain quil feroit son possible pr Emmener son Cheval mais que sil luy Coutoit plus que la valeur de la vache Et le vau quil luy payeroit les Surplus ce quil a Eté desavoué par ledt Germain qui a soutenu quil netoit Convenû que de la vache et le vau offrant de fournir Ses preuves a la Cour par temoins. sur quoy ledt Germain a fait Comparoitre mr francois trotier commandant Lequel aprés que la cour la En sommé de dire verité a dit que sEtant trouvé chés le sr Louis gaud lors que germain y Est Entré pr reclamer son Cheval. quil a dit a Louis gaud mon oncle comme voulés vous vous aranger je viens Chercher mon Cheval. votre vache Et le vau son dans ma Cour venez les Choisir. que Louis gaud avoit repondû votre Cheval ma Couté plus que cela je ne peut pas vous le donner pr le vache Et le vau si vous voulez me donner un taurau de dix huit mois de surplus vous laurés. ou jen ay un de pareil age si vous le voulez

At a Court meeting in special session at the prayer of CHARLES GERMAIN, *vs.* LOUIS GAUD.

October 13, 1789.

MM. Antoine Girardin, President. Pierre Laperche.
Charles DuCharme. Henry Biron.
Philippe Engel. Louis Chatel.
Bte. Dubuque. Magistrates.

M. Germain said that he claimed from Louis Gaud his horse which the savages had stolen from him; and that he had made a bargain with the said Louis Gaud that if he brought his horse back to him that he would give a cow and her calf to be chosen among his stock; that the said Louis Gaud had brought away the horse, but that he refused to deliver it to him except for a cow and her calf and a bull of eighteen months to boot; that he offered to give the said cow and her calf; but that he was not obliged according to his agreement to give the bull to boot; that the said Louis Gaud was free to bring it back for the price agreed upon or to leave it; and he concludes that the costs of the special session should be found against the said Louis Gaud.

The said Louis Gaud replied that there was no agreement in regard to the facts which the said Germain advances; that it is true that he agreed with the said Germain to do his best to bring his horse away; but that if it cost him more than the value of the cow and calf that he should pay him the extra cost, which has been denied by the said Germain, who maintained that the agreement was only for the cow and calf and he offers to furnish proofs to the Court by witnesses. Whereupon the said Germain summoned M. François Trottier, commandant, who, after the Court summoned him to tell the truth thereof, said that he was present at Louis Gaud's when Germain entered there to reclaim his horse; that he said to Louis Gaud: "Uncle! What are you going to do about it? I have come to get my horse. Your cow and calf are in my yard. Come and choose them;" that Louis Gaud replied: "Your horse cost me more than that. I can't give it to you for the cow and calf. If you wish to give me a bull of eighteen months to boot, you shall have it. Or I have one

je vous le donnerez Et je garderay le Cheval a quoy Germain Navoit pas voulû Consentir. quil luy avoit repliqué je suis convenû avec vous de vous donner une vache Et son vau je vous loffre je ne suis pas convenû de vous donner de surplus ou il faloit laisser mon Cheval.

a fait venir ignace Grondine lequel aprés sermant par luy fait de dire la verité luy avons demandé sil a Connoissance du marché de Charles germain et Louis gaud a dit quil avoit connoissance Etant au pé avec led^{t} Louis gaud comme son Engagé led^{t} Louis gaud lavoit Envoyé avec maillet pour aCheter le Cheval quil Etoit party avec mailhet mais quEtant aux qu'etant [*sic*] arrivé aux Cotes, il Sen Etoit Revenû que a son retour louis gaud luy avoit dit. pourquoy Est tu revenû tu auroit du y aler tu sera Cause que Si je nay pas le Cheval. je nauray pas une vache et son veau qui ma Eté promise p^{r} le Cheval qui est tout ce quil a dit savoir.

avons fait venir francois Grondine Lequel aprés sermant par luy fait de dire la verité luy avons demandé sil a Connoissance du marché fait Entre Charles Germain Et louis gaud. a dit que quelques jours aprés que louis Gaud Et germain Se Sont En arangé luy deposans a Eté trouver louis gaud et luy a demandé sil vouloit luy Emmener sa jument que les sauvages avoient vole que louis gaud luy avoit dit que sil vouloit luy donner une vache Et son veau comme faisoit germain quil la luy Emmeneroit sil la trouvoit que luy deposant avoit Consenty de luy donner une vache Et son veau ou quarante piastre sil Emmenoit sa jument. mais quil ne lavoit pas Emmenée. qui est tout ce quil a dit savoir.

avons fait venir francois ducheneau lequel aprés sermant par luy fait de dire la verité luy avons demande sil a Connoissance du marché fait Entre Louis gaud Et Charles germain a dit que Etant au pé Et alant avec maillet qui avoit deja acheté le Cheval dont est question p^{r} Louis gaud il avoit demandé a maillet ce quil avoit Couté quil luy avoit repondû jay donné deux baril dau de vie a choisir sur huit Et deux filles [filet?] que luy deposans luy avoit repondû cest Bien Cher. que maillet avec [*sic*] repliqué. ce nest pas trop Cher puisque Louis gaud a une vache et son vau p^{r} avoir le Cheval des sauvages qui est tout ce quil a dit savoir.

of like age; if you wish it, I will give it to you and I will keep the horse;" that Germain had not wished to agree to this, and that he had answered: "I agreed with you to give you a cow and her calf. I offer it to you. I have not agreed to give you more and [if it cost more] you should have left my horse."

Have summoned Ignace Grondine whom, after taking oath to tell the truth, we asked if he had knowledge of the bargain of Charles Germain and Louis Gaud; and he said that he had knowledge, since he was in Peoria with the said Louis Gaud as his *engagé*; and that the said Louis Gaud had sent him with Mailhet to buy the horse and that he had set out with Mailhet; but that having arrived at the Bluffs, he had returned; that on his return Louis Gaud had said to him: "Why have you come back? You should have gone there. You will be the cause that I do not have the horse and I shall not have the cow and her calf, which have been promised me for the horse." This is all that he said he knew.

We have summoned François Grondine, whom, after oath was made by him to tell the truth, we have asked if he had knowledge of the bargain made between Charles Germain and Louis Gaud and he said that some days after Louis Gaud and Germain had made their bargain, he, the deponent, was at Louis Gaud's and asked him, if he wished to bring back for him his mare which the savages had stolen, and that Louis Gaud had said to him that if he was willing to give him a cow and her calf as Germain was doing, that he would bring it back to him, if he found it; and that he, the deponent, had agreed to give him a cow and her calf or forty *piastres*, if he brought back his mare; but that he had not brought it back; which is all that he said he knew.

We summoned François Duchenau, whom, after he had made oath to tell the truth, we asked if he had knowledge of the bargain made between Louis Gaud and Charles Germain, and he said that he was at Peoria and was walking with Mailhet who had already bought the horse in question for Louis Gaud, and he asked Mailhet what it had cost and that he had answered him: "I have given two barrels of brandy to be chosen among eight and

to two questions that he could not vote upon if he was in Congress; to two questions that are not practical,—in order to conceal from[1] your attention other[2] questions which he might be required to vote upon should he ever become a member of Congress.

He tells you that he does not like the Dred Scott decision. Suppose he does not, how is he going to help himself? He says that he will reverse it. How will he reverse it? I know of but one mode of reversing judicial decisions, and that is by appealing from the inferior to the superior court. But I have never yet learned how or where an appeal could be taken from the Supreme Court of the United States! The Dred Scott decision was pronounced by the highest tribunal on earth. From that decision there is no appeal, this side of Heaven. Yet, Mr. Lincoln says he is going to reverse that decision. By what tribunal will he reverse it? Will he appeal to a mob? Does he intend to appeal to violence, to Lynch law? Will he stir up strife and rebellion in the land, and overthrow the court by violence? He does not deign to tell you how he will reverse the Dred Scott decision, but keeps appealing each day from the Supreme Court of the United States to political meetings in the country. [Laughter.] He wants me to argue with you the merits of each point of that decision before this political meeting.

I say to you, with all due respect, that I choose to abide by the decisions of the Supreme Court as they are pronounced. It is not for me to inquire, after a decision is made, whether I like it in all the points or not. When I used to practice law with Lincoln, I never knew him to be beat in a case that he did not get mad at the judge, and talk about appealing, [laughter] and when I got beat, I generally thought the court was wrong, but I never dreamed of going out of the court-house and making a stump speech to the people against the judge, merely because I had found out that I did not know the law as well as he did. [Great laughter.] If the decision did not suit me, I appealed until I got to the Supreme Court; and then if that court, the highest tribunal in the world, decided against me, I was satisfied, because it is the duty of every law-abiding man to obey the constitutions, the laws, and the constituted authorities. He who attempts to stir up odium and rebellion in the country against the constituted authorities, is stimulating the passions of men to resort to violence and to mobs instead of to the law. Hence, I tell you that I take the decisions of

[1] Omits "from."
[2] Inserts "from" before "other."

the Supreme Court as the law of the land, and I intend to obey them as such.

But Mr. Lincoln says that I will not answer his questions as to what I would do in the event of the court making so ridiculous a decision as he imagines they would by deciding that the Free State of Illinois could not prohibit slavery within her own limits. I told him at Freeport why I would not answer such a question. I told him that there was not a man possessing any brains in America, lawyer or not, who ever dreamed that such a thing could be done. ["Right."] I told him then, as I do now, that by all the principles set forth in the Dred Scott decision, it is impossible. I told him then, as I do now, that it is an insult to men's understanding, and a gross calumny on the court, to presume in advance that it was going to degrade itself so low as to make a decision known to be in direct violation of the Constitution.

A Voice.—The same thing was said about the Dred Scott decision before it passed.

Mr. Douglas.—Perhaps you think that the court did the same thing in reference to the Dred Scott decision: I have heard a man talk that way before. The principles contained in the Dred Scott decision had been affirmed previously in various other decisions. What court or judge ever held that a negro was a citizen? [Laughter.] The State courts had decided that question over and over again, and the Dred Scott decision on that point only affirmed what every court in the land knew to be the law.

But I will not be drawn off into an argument upon the merits of the Dred Scott decision. It is enough for me to know that the Constitution of the United States created the Supreme Court for the purpose of deciding all disputed questions touching the true construction of that instrument, and when such decisions are pronounced, they are the law of the land, binding on every good citizen. Mr. Lincoln has a very convenient mode of arguing upon the subject. He holds that because he is a Republican that he is not bound by the decisions of the court, but that I, being a Democrat, am so bound. [Laughter and cheers.] It may be that Republicans do not hold themselves bound by the laws of the land and the Constitution of the country as expounded by the courts; it may be an article in the Republican creed that men who do not like a decision have a right to rebel against it: but when Mr. Lincoln preaches that doctrine, I think he will find some honest Republican—some law-abiding man in that party—who will

A une Cour du deux Novembre 1789.

M^rs^ antoine girardin Presidant Pierre Laperche
jean B^te^ dubuque Louis Chatel
Charles ducharme henry Biron
Philipe angel Magistrats

a ladite Cour.

M^r^ LAILLE demandeur Contre LOUIS COSTE deffendeur

Le demandeur repete contre le deffendeur 116^lb^ 17^s^ En argent Et 23^lb^ 17^s^ En farine que le deffendeur Convient devoir sur quoy le[*sic*]Cour le Condamné a payer sans delais Condamnons le s^r^ laille aux frais p^r^ Navoir pas demande son payement laquelle sentence sera executée sous vingt quatre heures.

a la meme cour.

FRANCOIS HUBERDEAU demandeur Contre PIERRE DURBOIS deffendeur

Le demandeur repete contre le deffendeur un billet de Cent Cinquante livres Echus.

le deffendeur la reconnu veritable.

sur quoy la Cour condamne le deffendeur a payer son Billet savoir la farine a 30^lb^ le Cent Et le mahis a 5^lb^ le sac marchand. le tout sans delais condamne dubardeau [*sic*] aux frais liquidez a 15^lb^ tant p^r^ Huissier lordre au greffier que la presente sentence.

delivré un decret du prise de Corps a ladite Cour a demande de M^r^ de Clamorgan Contre francois Clark ameriquain.

a la meme Cour.

La Cour est ajournée au 1^er^ x^bre^ 1789.

A^t^ Girardin.

du 10 9^bre^ 1789.

delivré une saisie a M^r^ Dumoulin chargé p^r^ m^r^ Labadie, une Saisie conservatoire contre jean B^te^ Lapierre forgeron et sa femme sur la somme de 1166^lb^ que luy doit Philipe gervais conjointement avec sa femme sous lhypoteque de leurs Biens en datte du jour de hier par leur obligation deposée au Notaria de cette justice payable a la toussaint 1790 ladite saisie faite p^r^ la somme de 280^lb^ en paux de Chevreuil Razée payable En may 1790

J^n^ Dumoulin

At a Court, November 2, 1789.

MM. Antoine Girardin, President.

Jean Bte. Dubuque.	Pierre Laperche.
Charles DuCharme.	Louis Chatel.
Philippe Engel.	Henry Biron.

Magistrates.

At the said Court.

M. Laille, Plaintiff, *vs.* Louis Coste, Defendant.

The plaintiff brings claim against the defendant for 116 *livres* 17 *sols* in money and 23 *livres* 17 *sols* in flour, which the defendant acknowledges that he owes. Whereupon the Court condemned him to pay without delay. We condemn M. Laille to pay the costs for not having demanded his payment, which judgment shall be put in execution within twenty-four hours.

At the same Court.

Francois Huberdeau, Plaintiff, *vs.* Pierre Dubois, Defendant

The plaintiff brings claim against the defendant for a note of one hundred and fifty *livres*, which has fallen due.

The defendant acknowledges it as genuine.

Whereupon the Court condemns the defendant to pay his note, to wit: the flour at 30 *livres* the hundred and the corn at 5 *livres* the trading sack, and all without delay; and condemns Huberdeau to pay the costs, fixed at 15 *livres* as well for the *huissier* and the order to the clerk as for the present judgment.

Issued a writ of *capias* at the said Court on prayer of M. Clamorgan against Francis Clark, American.

At the same Court.

The Court adjourned to December 1, 1789.

Ant. Girardin.

November 10, 1789.

Issued to M. Dumoulin, trustee for M. Labadie, a writ of conservative seizure against Jean Bte. Lapierre, blacksmith, and his wife on the sum of 1166 *livres*, which Philip Gervais, jointly with his wife, owes Lapierre under mortgage of their goods according to their obligation, dated yesterday, deposited in the office of the notary of the

du 26 9 bre 1789

delivré une saisie a Mr antoine thibault Contre jean Bte Lapierre pour saisir Conservatoirement Entre les mains de philipe gervais la somme de deux Cent onze livres et 20lb pr la saisie sur la somme de Neuf cent soixante Et quelque livres que ledt gervais doit audt Lapierre par son obligation au Notaria de ce poste payable lauthomne 1790 avec deffences de sen dessaisir quil nen soit par la Cour ordoné ladite saisie delivré a thom Bredy huissier signée ducharme magistra

P. Tabeau

du 28. 9bre delivré une Saisie privilegiee Et provisoire au sr Robidoub. sur les Biens meubles, une maison Et quatre Chevaux apartenant a Louis gaud jusqua ce que la Cour En ay ordonné pr sureté de la se de 1464lb en pelterie que ledt Louis gaud doit audt Robidoub pr marchandises de traite.

Jh Robidou

30. 9bre delivré un ordre a pierre Gassien pr faire comproitre devant la Cour au 1er xbre antoine la Cource.

30. 9bre delivré un ordre a Mr dumoulin contre marin pencrasse.

30. 9bre delivré un ordre au sr harmand contre Gabriel Baron.

du. 30. 9bre delivré un ordre a motard contre fs. Lapensée.

a une Cour du 1er decembre 1789.

Mrs antoine girardin Presidant pre LaPerche
Philipe angel Louis Chatel
Bte Dubuque Magistrats

Mr Dumoulin Contre marin Pencrasse

Le demandeur repete Contre le deffendeur la somme de quatre vingt dix sept livres douze sols six deniers pr 55l de sucre net

jurisdiction and payable on All Saints day, 1790; the said seizure was made for the sum of 280 *livres* in buckskin, payable in May, 1790.

Jn. Dumoulin.

November 26, 1789.

Issued a writ of seizure to Antoine Thibault against Jean Bte. Lapierre to seize conservatively from the hands of Philippe Gervais the sum of two hundred and eleven *livres*, and 20 *livres*, for the writ of seizure, from the sum of nine hundred and sixty and some *livres*, which the said Gervais owes the said Lapierre by his obligation at the office of the notary of this post payable in the autumn of 1790, with prohibition to divest himself of whatever there is thereof. Decreed by the Court, the said writ of seizure was delivered to Tom Brady, *huissier*, and was signed by Du-Charme, magistrate. P. Tabeau.

November 28.

Issued a writ of privileged and provisional seizure to M. Robidou on the personal property, a house and four horses belonging to Louis Gaud, until the Court has decreed thereon, to be held for surety of the sum of 1464 *livres* in peltries, which the said Louis Gaud owes the said Robidou for merchandise of trade.

Jh. Robidou.

November 30. Issued a summons to Pierre Gassien to cause to appear before the Court of December 1st Antoine LaCource.

November 30. Issued a summons to M. Dumoulin against Marin Pencrasse.

November 30. Issued a summons to M. Harmand against Gabriel Baron.

November 30. Issued a summons to Motard against Fr. Lapancé.

At a Court, December 1, 1789.

MM. Antoine Girardin, President. Pierre Laperche.
Philippe Engel. Louis Chatel.
Bte. Dubuque. Magistrates.

M. Dumoulin, Plaintiff *vs.* Marin Pencrasse.

The plaintiff brings claim against the defendant for the sum of ninety-seven *livres* twelve *sols* six *deniers* for 55 lbs. of sugar net

a 35^{s} 6^{d} la Lx avec les frais. le deffendeur a reconnû devoir la dite somme mais quil navoit pas de quoy payer pour le present.

Vu la reconnoissance dud^{t} marin Pencrasse qui a reconnû devoir ladite somme la Cour la Condamné a payer Sous quinze jours aux memes conditions de L'Encan Bled ou farin Et aux frais.

a la meme cour

Sur la requete expositive des S^{rs} Laille Et arundel marchand de ce poste que quelques marchands de St Louis faisoient des avances au s^{r} Louis gaud. qui se trouve Extremement En debte, les quels Enlevent le produit des avances qui a Eté faites aud^{t} Louis gaud par les marchands et autres particuliers de ce poste ce qui fait un tor Et une fraude notable a ceux qui avancé aud^{t} Louis gaud sur cette partie tant aux marchands qua dautres particuliers de ce dit poste, La Cour En vertu de la requete du s^{r} Laille Et du s^{r} arundel Et autres representant deffend aud^{t} Louis gaud de faire aucun payement sur lautre Rive ny dy faire traverser aucunnes pelteries ou payement ny meme aucunes marchandises Effets de quelque nature quils soient declare En outre la saisie faite par le s^{r} Robidoub de nule valeur Et comme non faite quil nait auparavant Entierement satisfait toutes les Creances Et debtes quil doit sur cette Rive a peine de Confiscation des dites pelteries ou payement quil pouroit Envoyer qui seront saisie p^{r} satisfaire aux Creances dicy ce qui sera Execute $lesd^{t}$ jour Et an.

A^{t} Girardin.

a la meme Cour.

Pierre Gassien demandeur Contre Antoine LaCource defaillant Nayant voulu comparoir aprés assignation a luy donnée le jour de hier.

Vu la demande dud^{t} Gassien contre Led^{t} LaCource montant a la somme de trois cent dix livres. savoir 250^{lb} p^{r} une terre Et 60^{lb} p^{r} salaire douvrage. condanmons led^{t} antoine LaCource a payer led^{t} Gassien sans delais et aux frais et depens.

at 35 *sols* 6 *deniers* the pound with costs. The defendant acknowledged that he owes the said sum, but says that he has no means to pay at present.

In view of the acknowledgment of the said Marin Pencrass, who has acknowledged that he owes the said sum, the Court condemned him to pay within the fortnight wheat or flour on the same conditions as given at the auction. Condemned him to pay the costs.

At the same Court.

On the explanatory petition of MM. Laille and Arundel, tradesmen of this post, that some tradesmen of St. Louis were making to M. Louis Gaud, who is greatly in debt, advances which are absorbing the proceeds of the advances which were made to the said Louis Gaud by traders and others individuals of this post, an act which is effecting a wrong and considerable fraud to those on this side, both tradesmen and other individuals of this post, who have made advances to the said Louis Gaud ; the Court in virtue of the petition of M. Laille and M. Arundel and other representatives forbids the said Louis Gaud to make any payment on the other bank, to send across any peltries or payment or likewise any merchandise, effects of whatsoever nature; and it declares, furthermore, the seizure made by M. Roubidou of no value and as not made, until the said Gaud has first entirely satisfied all the claims and debts which he owes on this bank, on penalty of confiscation of the said peltries or payment that he may send and these shall be seized to satisfy the claims of this place, for which there will be execution the said day and year.

Ant. Girardin.

At the same Court.

Pierre Gassien plaintiff, *vs.* Antoine LaCource absent, having refused to appear after summons was served on him yesterday.

In view of the claim of the said Gassien against LaCource amounting to the sum of three hundred and ten *livres*, to wit 250 *livres* for a plantation and 60 *livres* for wages, we condemn the said LaCource to pay the said Gassien without delay with costs and charges.

a la meme Cour.

Le S^r^ MOTARD demandeur Contre FRANCOIS LAPENSÉE deffendeur

sur les contestations des comptes reciproques que les deux parties ont produit lun contre lautre. La Cour a renvoyé les deux partis pardevant M^r^ William aRundel Et M^r^ jean dumoulin Et M^r^ Laille p^r^ arbitrer led^t^ compte Et Larreter auquel arreté de Compte les parties se soumetront ce qui sera executé.

La Cour est ajournée au 1^er^ janvier 1789.

A^t^ Girardin.

du 3 X^bre^ 1789.

Est comparû au greffe de cette justice Le S^r^ antoine Thabault Negociant de Cahos lequel a requis lenregistrement de Lordonnance cy aprés.

Nous antoine girardin Presidant Et magistra de la Cour du district des Cahos. Sur les representations a nous faites par le s^r^ antoine tabault Negociant de cette Rive et y ayant sermant de fidelité Etablissant Son domicile En la maison de Charles Lefevre habitant de ce poste, lequel En Sa dite qualité de Citoyen de cette dite Rive auroit apris que les Biens de Louis gaud traiteur de ce poste avoient Eté Saisis par le S^r^ Robidoub marchand de la Rive espagnole Sous pretexte davances faites aud^t^ Louis gaud laquelle saisie a Eté par cette Cour Ennulee le premier de ce mois. afin que les vray Citoyen de cette Rive, reconnus pour tel ayent le privilege dEtre payez Sur les Biens dud^t^ Louis gault preferablement a tous les autres Commerceants Etrangers qui nont aucun sermant de fidelité Sur cette Rive Et gouvernment ameriquain.

EN CONSEQUANCE nous avons Permis Et Permetons aud^t^ S^r^ antoine thabault Negociant de cette Rive y ayant Sermant de fidelité Et y ayant Etably son domicile de Saisir, arreter Et metre Sous la main de la justice tous les Biens meubles Et immeubles dud^t^ Louis gault comme Son dernier Equipeur. Saisir, arreter Sequestrer Et y Etablir gardien et depositaire a toutes les pelteries graisses huiles et autres effets que led^t^ Louis gault poura faire Et En mener icy de ces traites meme ceux quil Se trouvera avoir En

At the same Court.

M. MOTARD, Plaintiff, *vs.* FRANÇOIS LAPANCÉ, Defendant.

On account of the disagreement of the reciprocal accounts which the two parties have brought against each other, the Court dismissed the two parties to arbitrate and settle the said account before M. William Arundel, M. Jean Dumoulin and M. Laille to which settlement the parties shall submit; for which there will be execution.

The Court adjourned to January 1, 1789.

Ant. Girardin.

December 3, 1789.

There appeared at the record office of this Court M. Ant. Tabeau, merchant of Cahokia, who required the registration of the following decree.

We Antoine Girardin, president and magistrate of the Court of Cahokia, on the representation made to us by M. Antoine Tabeau, merchant of this bank, who has made oath of fidelity thereto and established his domicile in the house of Charles Lefevre, resident of this post, and who, in his quality of citizen of this bank, has learned that the goods of Louis Gaud, trader of this post, had been seized by M. Robidou, merchant of the Spanish bank, under pretext of advances made to the said Louis Gaud, which seizure was annulled by this Court the first of this month, in order that the true citizens of this bank, and known as such, should have the privilege of being paid from the goods of the said Louis Gaud in preference of all other alien merchants who have taken no oath of fidelity on this bank and to the American government.

IN CONSEQUENCE we have permitted and do permit the said Antoine Tabeau, merchant of this bank who has taken oath of fidelity thereto and established his domicile thereon, to seize, distrain and place under the hand of justice all the goods, personal and real, of the said Louis Gaud, as last furnisher; to seize, distrain, sequester and establish a guardian therefor and a depositary for all peltries, tallow, oil and other effects which the said Louis Gaud may make and bring thereof to this place by his trades, and also those which he shall be found to have in his possession in his

sa pocession dans Sa maison, Lesquelles pelteries Seront mises En depot a la Garde Et ches le S^r^ isidore laCroix qui sen Chargera jusqua la Cour prochaine pour En Etre ordonné ce que de raison. le tout pour Sureté des Sommes dEquipement que led^t^ S^r^ Thabault a fait aud^t^ Louis gault En qualité de marchand citoyen de cette Rive Et comme dernier Equipeur Et encore pour sureté de Cent Soixante treize livres En argent ou pelterie que led^t^ Louis gaud reste devoir Sur Son obligation de LEncan de deffunt augustin dubuque Echus depuis le quinze davril dernier suivant Lintervention du S^r^ Labuxiere Chargé de ladite sucession Enjoint au bailly de cette Cour de proceder a ladite saisie aussitost la requisition dud^t^ S^r^ thabault avec les formalité requises donnons la presente Saisie Non sur les Chevaux qui serviront aud^t^ Louis gault pour plus grande facilité dans Son Commerce, mais sur tous autres articles Et effets cy devant detailles conditionelement que le s^r^ a Rundel et laille seront present lors de la livraison des pelteries Et effets du s^r^ Louis gault au depositaire le s^r^ LaCroix Et en feront eux meme linvantaire Et la presente sera Enregistree au greffe de ce poste pour y avoir Recour quand Besoin sera donné aux Cahos le 3 X^bre^ 1789. signé Thabault Saisissant Et ant^e^ Girardin Presidant. Et a linstant Loriginal du present Enregistrement remis ez [*sic*] mains dud^t^ s^r^ Thabault lesd^t^ jour Et an.

Labuxiere grefier.

Je Soussigné a deffaud huissier comme ayant eté Requis par luy en presence des temoins Soussignés signiffié la presente sentence Et Saisie a la dame Louis gault En labsence de son mary En parlant a Sa person En son domicile led^t^ jour Et an que dessus signé Billet p^r^ thom Brady huissier.

En concequance avons saisis et Saisisons une maison a vide maintenant ladite dame Et sa famille, une armoire a deux Battans, un miroir a cadre dor une paire de Boeuf une vache avec son veau, deux genisses de trois ans Cinq pourceaux, plusieurs meubles de menages aux Cahos le 3. X^bre^ 1789 signé Billet p^r^ thom Bredy. En outre plusieurs marchandises drats couvertes &c. que ladite dame a declaré avoir Recû de M^r^ thabault lors que son Epoux a

house; which peltries shall be deposited in the custody and at the house of M. Isidore LaCroix, who shall be intrusted therewith until the next Court, that there may be decreed concerning them, for which this act is sufficient. This is done to assure the sums for equipment which the said M. Tabeau has made to the said Louis Gaud, in his title of citizen trader of this bank and last furnisher, and also for surety for one hundred and seventy-three *livres* in money or peltries which the said Louis Gaud still owes on his note given for the goods bought at the auction of the deceased Augustin Dubuque, matured since the fifteenth of April last, according to the intervention of M. Labuxiere who is intrusted with the said estate. And we have enjoined on the bailiff of this Court to proceed to the said seizure as soon as he receives the requisition with the necessary formalities from the said M. Tabeau. We do not give the present writ of seizure on the horses, which will serve the said Louis Gaud to conduct his commerce with greater facility, but on all other articles and effects herebefore mentioned in detail, under the condition that MM. Arundel and Laille shall be present at the time of the delivery of the peltries and effects of M. Louis Gaud to the guardian, M. LaCroix, and they shall themselves make an inventory thereof; and the present shall be registered at the office of this post in order to have recourse thereto, when there shall be need. Given at Cahokia December 3, 1787. Signed Tabeau, execution creditor, and Ant. Girardin, president. And now the original of the present registry was delivered into the hands of the said M. Tabeau the said day and year.

Labuxiere, Clerk.

I, the undersigned, in default of the *huissier* and as requested by him, in the presence of the undersigned witnesses, have served the present decree and writ of seizure on Madame Louis Gaud in the absence of her husband and I have spoken to her in person at her place of residence, the said day and year as above. Signed Billet for Tom Brady, *huissier*.

In consequence we have seized and do seize a house vacated now by the said lady and her family, a closet with two folding

pris son Equipement. cahos le 3. X^bre 1789 Billet p^r thom Bredy F. Saucier Et isadore lacroix temoins

Nous Soussignés avons receptez la quantité de Cinq cent quarante trois livres Et demi des paux de Chevreuil livrés par m^r Louis gault a M^r isadore lacroix, sur les quelles il se trouve Cinquante deux livres visiées Et une grande parties parmi les Bonnes trop mouillés pour ne pas souffrier une grande diminution, de plus nous avons compte Sept paux dours, quatre mauvaises paux doussons signe izadore LaCroix, arundel, saucier.

Sur les quatre heures apres midy je me suis transporté En la maison ou reside le s^r LaCroix et ay Saisy au Nom de thom Bredy huissier de ce district les pelteries mentionnées cy dessus Et ay Saisy le tout dans la susdite maison sous les garanties du S^r antoine thabault led^t jour Et an que dessus En presence du s^r isidore la Croix qui a signé la present. signé izidore laCroix. P^re Billet p^r thom Brady.

Et a linstant moy grefier soussigné ay Remis loriginal du present Enregistrement aud^t s^r antoine Thabault lesd^t jour Et an.

P Tabeau Labuxiere grefier

Du 7 X^bre 1789

une saisie p^r Le S^r Labuxiere contre motard

Nous antoine girardin Presidant magistra &c. Nous saisissons Et arretons Entre les mains de francois Lapensee la somme de 85^lb que led^t motard doit au s^r Labuxiere st le Comte de frais a luy dub par led^t motard Et par nous arreté luy faison deffences de sen dessaisir enver qui que ce soit que le compte ne soit Entierement payé par led^t motard aud^t s^r Labuxiere a peine d En repond En Son nom Et jusqua Ce que la Cour En ay ordonné aux Cahos le 7 X^bre 1789. Signé ant^e girardin Presidant.

Recû la presente saisie francois Lapancé

Du 28. X^bre delivré un ordre a la veuve henry Golding ameriquaine contre josiah Ryan habitant ameriquain demeurant a la Rivierre de laigle pour comparoitre a la cour du 2. janvier 1790. pour repondre a la demande de la dite veuve pour lenlevement que led^t Golding a fait de Ses effets Et Biens.

doors, a mirror with gilt frame, a yoke of oxen, a cow with her calf, two three year old heifers, five pigs, several pieces of furniture. At Cahokia December 3, 1789. Signed, Billet for Tom Brady. Furthermore some merchandise, cloth, coverings, etc, which the said lady declared she had received from M. Tabeau at the time that her husband took his equipment. Cahokia, December 3, 1789. Billet for Tom Brady, F. Saucier, and Isidore LaCroix, witnesses.

We, the undersigned, have received the quantity of five hundred and forty-three and a half pounds of deer-skins, delivered by M. Louis Gaud to M. Isidore LaCroix, among which there are found fifty-two pounds spoiled and a large part of the good, too moulded not to suffer a great decrease in value. Furthermore, we have account of seven bear-skins, four bad skins of bear's cubs. Signed, Isidore LaCroix, Arundel, Saucier.

At four hours after noon I have gone to the house where M. LaCroix resides and seized in the name of Tom Brady, *huissier* of this district, the peltries mentioned above and have seized all in the house aforesaid under the guaranty of M. Antoine Tabeau, the said day and year as above, in the presence of M. Isidore LaCroix who has signed the present. Signed, Isidore LaCroix, Pierre Billet for Tom Brady.

And now I, the undersigned clerk, have returned the original of the present registry to the said M. Antoine Tabeau the said day and year.

P. Tabeau. Labuxiere, Clerk.

December 7, 1789.

A writ of seizure for M. LABUXIERE against MOTARD.

We, Antoine Girardin, president, magistrate etc. We seize and attach the sum of 85 *livres*, in the possession of François Lapancé, which the said Motard owes M. Labuxiere according to the account of costs due to him by the said Motard and by us closed; and we forbid him to part therewith to any one whomsoever until the account be paid entirely by the said Motard to the said M. Labuxiere, on pain of being responsible therefor in his name, and until the Court has issued decree thereon.

du 30 X^bre^ delivré un ordre a antoine harmand dit Sans facon Contre William Biggs ameriquain pour paroitre a la Cour du 2 janvier 1790.

Du 2. janvier 1790. a une Cour tenue par

M^rs^ antoine girardin	Philipe angel
Charles ducharme	Bte Dubuque
	Pierre Laperche

Entre la veuve HENRY GOLDING demanderesse Contre JOSIAH RYAN deffendeur

aprés avoir oui les parties En leur demande Et Reponse la Cour les a renvoyé pardevant le juge de leur district p^r^ En prendre connoissance.

a la meme Cour

Entre LOUIS GAUD demandeur Contre le S^r^ THABAULT reprsenté par Le S^r^ PAPIN deffendeur

le demandeur requiere par sa requete presentée cejourdhuy a la Cour que la saisie faite de Ses Biens meubles pelterie Effets et immeubles Soit levées par le tor quelle luy Cause dans son commerce Et lempeche de satisfaire Ses creanciers de meme que par le manque de marchandises que le S^r^ thabault est En deffaud de luy fournir suivant sa Convention. Et requiere En outre que le s^r^ thabault soit condamné a luy payer tous des domagement de ladite saisie tor retard frais Et depens.

oui le S^r^ papin procureur dud^t^ s^r^ thabault qui a requis a la decizion de laffaire soit Renvoyèe pardevant des jurés. a quoy est intervenû le S^r^ laille qui Sest oposé comme interesse a ce que ladite affaire soit decide par jurés conjointement avec led^t^

At Cahokia December 7, 1789. Signed, Ant. Girardin, President.

Received the present writ of seizure, François Lapancé.

December 28. Issued a summons on demand of the widow Henry Golding, American, against Josiah Ryan, American inhabitant, dwelling at the Eagle River, to appear at the Court of January 2, 1790, to answer to the prayer of the said widow for the removal of her goods and chattels, which the said Golding has made.

December 30. Issued a summons on demand of Antoine Harmand called Sansfaçon against William Biggs, American, to appear at the Court of January 2, 1790.

January 2, 1790, at a Court held by

MM. Antoine Girardin.	Philippe Engel.
Charles DuCharme.	Bte. Dubuque.
	Pierre Laperche.

The widow HENRY GOLDING, Plaintiff, *vs.* JOSIAH RYAN, Defendant.

After having heard the parties in their prayers and answers the Court dismissed them to the judge of their district who will take cognizance thereof.

At the same Court.

LOUIS GAUD, Plaintiff, *vs.* M. TABEAU, represented by M. PEPIN, Defendant.

The plaintiff prays in his petition, presented this day to the Court, that the seizure, made of his personal property, peltries, effects and real estate, be raised on account of the wrong, which it does him in his business and which hinders him from satisfying his creditors, and also on account of the failure of M. Tabeau to furnish him merchandise in accordance with his agreement; and he prays, furthermore, that M. Tabeau be condemned to pay him all damages from the said seizure, namely for wrong, delay, costs and charges.

Heard M. Pepin, attorney of the said M. Tabeau, who has required that the decision of the case be left to jurors; in which M. Laille has intervened, who was opposed, as interested party,

Louis gault qui ont requis la decizion de ladite affaire par la Cour Et que la dite saisie Soit levée. Parties ouyes.

La Cour a levé Et leve toutes saisies faites et obtenues par le s^r^ thabault sur les biens meubles Et immeubles pelteries Et autres Effets dud^t^ Louis Gault, la met au Neant Et Remet led^t^ Louis Gault pocession de tous Ses Biens pelteries marchandises Et effets. a luy Enjoint de payer primitivement privilegierement Et par prefferance a ceux de la Rive espagnole tous les Creanciers de cette Rive qui seront privilegiez aud^t^ S^r^ thabault Et Roubidoub qui nauront leur privilege quaprés les dits Creanciers dicy payez, condamne la dite Cour le le s^r^ thabault a Suporter toutes pertes depens domages qui pouroit etre survenus aux pelteries saisies mise En depot chés le s^r^ izidore laCroix, le condamne pareillement En tous les frais depens de ladite saisie et du procés. Et le S^r^ Robidoub aux frais de la Saisie par luy obtenue. la Cour ayant Eté informée que le s^r^ thabault par la voye du S^r^ papin avoit Enlevé des huilles Et Graisses saisies malgré la deffances a luy faites dans les saisies pre[ce]dantes Et au mepris de lautorité de la Cour Les avoir transportée sur la Rive Espagnole ce qui sera execute

a^t^ Girardin

Entre M^r^ DeClamorgan demandeur Contre Louis Coste et sa femme deffendeur non comparant apres assignation a eux donnée

Vû le Billet dud^t^ Coste et sa femme de 815 L de farine Echus la Cour Les condanne a payer Et aux frais Et aux frais [*sic*]

a^t^ girardin

La cour est ajournee au p^re^ fevrier 1790

a^t^ Girardin

A une Cour du 1^er^ Fevrier 1790.

M^rs^ Antoine girardin Presidant — Philipe angel

B^te^ dubuque — Charle ducharme

Ne setant presenté aucunne cause nous avons adjourné la cour au 1^er^ de mars prochain

a^t^ Girardin

to having the case decided by jurors, as was also the said Louis Gaud, and they have required the decision of the said case by the Court and prayed that the said seizure be raised. Parties heard.

The Court has raised and does raise all seizures made and obtained by M. Tabeau on the personal and real property, peltries and other effects of the said Louis Gaud and annuls them; and returns to the said Louis Gaud the possession of all his property, peltries, merchandise and effects; and has commanded him to pay first, and by privilege and preference to those of the Spanish bank, all the creditors of this bank who shall be privileged before the said MM. Tabeau and Robidou, who shall have their privileges only after the said creditors of this place are paid; and the said Court condemns M. Tabeau to bear all losses, expenses and damages which may have occurred to the peltries seized and deposited at the house of M. Isidore LaCroix; and condemns him likewise in all costs and charges of the said seizure and suit, and M. Robidou in the cost of the seizure obtained by him, the Court having been informed that M. Tabeau with the assistance of M. Pepin had carried off and transported to the Spanish bank some oil and grease, which was seized, in spite of the prohibition made to him in the preceding writ of seizure and in defiance of the authority of the Court; for which there will be execution.

Ant. Girardin.

M. Clamorgan, Plaintiff, *vs.* Louis Coste and his wife, defendant, not appearing after summons was served on them.

In view of the note of the said Coste and his wife for 815 pounds of flour, which has matured, the Court condemns them to pay it with the costs and charges.

Ant. Girardin.

The Court adjourned to February 1, 1790.

At a Court February 1, 1790.

MM. Antoine Girardin, President. Philippe Engel.
Bte. Dubuque. Charles DuCharme.

No cause having been presented, we adjourned the Court to the first of March next.

Ant. Girardin.

A une Cour Extraordinaire Du deux fevrier 1790

M^rs^ antoine girardin Presidant — B^te^ dubuque
Philipe angel — Charle ducharme
Louis Chatel

La cour siegeante Contre le S^r^ Jean marie Papin citoyen de la Rive espagnole detenu aux fers prisonnier a lagarde de thom bredy Bailly de la cour.

Avons fait comparoitre le S^r^ Louis Lebrun habitant de ce poste lequel aprés sermant par luy fait de dire la verité Sur les Saints Evangiles luy avons demande a quel dessein le s^r^ Papin avoit Eté chés luy le dimanche trois de janvier dernier.

a repondu que le s^r^ Papin avoit Eté chés luy ledit jour vant la messe luy demander sil vouloit luy preter sa maison pour faire une assemblee. quil avoit une requete a presenter aux habitans, quil vouloit faire cette assemblée pour avoir une Cour de juré pour apeller de la sentence de la cour Et voir Sil pouvoit se relever de son affaire qui est tout ce quil a dit savoir lecture a luy faite de Sa deposition a dit contenir verité y a persiste a dit ne savoir signer Et fait sa marque ord^re^.

marque + de — a^t^ Girardin
Louis Le Brun

Avons fait paroit^re^ le s^r^ joseph Lapensée habitant de ce village lequel aprés sermant par luy fait sur les Saints Evangiles de dire verité luy avons demande ce que le s^r^ Papin luy a dit lors quil a Eté aujourdhuy p^r^ Larreter

a dit quen le conduisant en prison le s^r^ Papin luy avoit dit pourquoy ont ils Employé le peuple p^r^ mareter. ils ont raison par ce que si setoit des magistra je ne sait pas ce quil en nauroit Eté qui est tout ce quil a dit savoir lecture a luy faite de sa declaration a dit contenir verité y a persisté Et a declaré ne savoir signer a fait sa marque ord^re^

marque — a^t^ Girardin
+
de joseph Lapensée

[1] The case is interesting, when it is remembered that the Spanish subjects were doing their utmost to drive the French from the American Bottom. Although the case was apparently based on a commercial transaction, this attempt to undermine the power of the Court may be due to the same policy pursued by the Spanish at Kaskaskia. See *Introduction*, p. cxlii.

At a special session of the Court, February 2, 1790.

MM. Antoine Girardin, President. Charles DuCharme.
Philippe Engel. Louis Chatel.
Bte. Dubuque.

THE COURT in session *vs.* M. JEAN MARIE PEPIN, citizen of the Spanish bank, detained in irons as a prisoner in the custody of Tom Brady, bailiff of the Court.[1]

We have summoned M. Louis Lebrun, inhabitant of this post, of whom, after oath was made by him on the Holy Gospels to tell the truth, we demanded for what purpose M. Pepin had been at his house Sunday the third of January last.

He answered that M. Pepin had been at his house the said day before mass to ask him if he would lend him his house for the purpose of holding an assembly; that he had a petition to present to the inhabitants and that he wished to have this assembly in order to have a court of jurors so that he could appeal from the sentence of the Court and see if he could not obtain relief in his affair; which is all that he said he knew. Reading was made to him of his deposition and he said that it contained the truth and persisted therein; and he said that he did not know how to sign and has made his mark.

Mark + of
Louis Lebrun Ant. Girardin.

We have summoned M. Joseph Lapancé, inhabitant of this village, of whom, after oath was made by him on the Holy Gospels to tell the truth, we demanded what M. Pepin said to him at the time he went to-day to arrest him.

He said that while conducting him to prison M. Pepin had said to him: "Why have they employed the people to arrest me? They are right, because if it had been magistrates, I do not know what would have happened;" which is all that he said that he knew. Reading was made to him of his deposition and he said that it contained the truth and persisted therein; and he said that he did not know how to sign and has made his mark.

Ant. Girardin Mark + of
of Joseph Lapancé.

Ladite cour a fait comparoitre En la Chambre du greffe led^t^ S^r^ Papin, lui a Eté demandé par M^r^ Le presidant girardin pour quoy il avoit reparû sur cette Rive Et En ce village le jour de hier au mepris des deffences au mepris des deffences [*sic*] qui luy ont Eté cy devant faites sans en demander une permission au commandant de ce poste ou a un magistra de la cour tel quil luy Eté Enjoint par notre decret du quatre janvier dernier Et pourquoy il avoit encore parû et reste deux jours la semaine passée dans ce village contre led^t^ decret.

a Eté Longtems Sans repondre Et aprés Lavoir sommé de repondre a dit quil navoit Rien a dire que ce netoit pas icy ou il repondroit.

Luy a Eté demandé pourquoy il a dit aujourdhuy a ceux qui ont Eté pour Larreter quon se servoit du peuple p^r^ Larreter que si savoit Eté des magistra il ne se seroit pas laissé prendre si facilement.

a dit quil navoit Rien de repondre.

La Cour ayant murement deliberé Entrelle a declaré led^t^ s^r^ Papin Perturbateur du repos public En ce vilage ateint et convaincû davoir voulû Exiter une sedition contre la cour Et tenû dans ce dit vilage des discours Contrelle tendant a menaces, mepris et atentatoire a son authorité et autres propos injurieux pour reparation de quoy ladite Cour le Condamne a tenir prison aux fers a la garde du Bailly de deux miliciens Et dun officier de milice pendant cinq jours au bout du quel tems sera mis dehor de la prison et conduit par la garde au missisipy Enjoint a luy de traverser sur la partie Espagnole et de ne jamais reparoitre En ce village Et dependances de ce district sans une permission du Commandant de ce poste ou dun magistra a peine de punition Corporelle le condamnons En outre En tous les frais de lextraord^re^ que la cour a liquidez a la somme de quatre cent quarante livres En argt suivant le compte arreté quil payera Comptant avant de sortir de prison ce qui sera executé par privilege Et nonobstant toute representations. donné Et deli-

[1] The decree is not in the *Record*.

The said Court summoned to the chamber of the clerk the said M. Pepin and asked him through M. the President Girardin, why he had reappeared on this bank and in this village yesterday in defiance of the prohibition which had been herebefore made him, without asking permission therefor from the commandant of this post or one of the magistrates of the Court, as he was commanded by our decree of the fourth of January last; and why he had again appeared and remained the past week in this village contrary to this decree.[1]

He has been a long time without answering and, after having summoned him to answer, he has said that he had nothing to say, that it was not here where he would answer.

It was asked him why he said to-day to those who have been to arrest him that they made use of the people to arrest him, that, if it had been magistrates, he would not have permitted himself to be taken so easily.

He said that he had nothing to answer.

The Court having carefully deliberated declared the said M. Pepin a disturber of the public peace in this village, caught and convicted of having wished to excite a sedition against the Court; and he has held in this said village discourses against it, leading to menaces, defiance and outrage on its authority, and other injurious talk; for reparation of which the said Court condemns him to be held in prison in irons under the custody of the bailiff, two militia-men and an officer of the militia for five days; at the end of which time he shall be placed outside of the prison and conducted by the guard to the Mississippi, and commanded to cross to the Spanish part and never to reappear in this village and the dependencies of this district, without a permission of the commandant of this post or of a magistrate, on pain of corporal punishment. We condemn him furthermore in all the costs of the special session, which the Court fixes at the sum of four hundred and forty *livres* in money according to the account drawn up, which he shall pay before leaving prison, for which there will be execution by privilege and notwithstanding all representations.

beré par la dite Cour led^{t} jour deux fevrier mil sept Cent quatre vingt dix.

[*Signed*]

DuCharme	Philipe Engel
Sa	B^{te} Dubuque
Louis + Chatel	a^{t} Girardin
marque	

a une Cour du 3. mars 1790.

M^{rs} antoine girardin Presidant	B^{te} dubuque
Philipe angel	P^{re} Laperche
Charles ducharme	Louis Chatel

Mr aRundel Negociant a fait comparoitre michel peltier pour luy payer la somme de quarante quatre livres En argent par son compte aprés luy avoir demandé.

Led^{t} michel Peltier a repliqué que M^{r} Rondel luy avoit dit quil ne le presseroit pas Et quil ne Croyoit pas quil le forceroit a le payer presentement quil Etoit surpris quil luy envoyoit une assignation quil sen Etoit Raporté a sa parole.

a quoy le s^{r} Rondel a repondû quil avoit Eté chés luy demander son payement Et quil Etoit sur son depart quil avoit Besoin de son argent quil ne se souvenoit aucunement de luy avoir dit quil luy donneroit du tems.

La Cour condamné led^{t} michel Peltier antaya a payer comptant et sans delais son Compte de quarante quatre livres. Et condamne le S^{r} arundel aux frais sur ce quil est Convenû de ne pas presser led^{t} antaya Et quil a declaré ne pas sen souvenir led^{t} antaya ofrant des preuves, a quoy le S^{r} Rondel sest soumis p^{r} lesd^{t} frais ce qui sera executé.

a le Meme Cour

M^{r} Rondel Contre Joseph Cecire.

M^{r} Rondel demande aud^{t} Cecire un Compte de la somme de trente livres par son Compte ce que led^{t} Cecire Est Convenû mais quil ne pouvoit payer par ce que lon ne le payoit pas surquoy la Cour Condamne led^{t} Cecire a payer au s^{r} aRundel sans delais Et aux frais Et depens.

Given and determined by the said Court the said day, February 2, 1790.

[*Signed*] DuCharme.	Philippe Engel.
His	Bte. Dubuque.
Louis + Chatel	Ant Girardin.
mark	

At a Court, March 3, 1790.

MM. Antoine Girardin, President.	Bte. Dubuque.
Philippe Engel.	Pierre Laperche.
Charles DuCharme.	Louis Chatel.

M. Arundel, merchant, summoned Michel Pelletier to pay him the sum of forty-four *livres* in money according to his account, after having demanded it of him.

The said Michel Pelletier replied that M. Arundel had told him that he would not press him and that he did not believe that he would compel him to pay now; that he was surprised that he sent him a summons, that he had relied on his word.

To which M. Arundel answered that he had been to his house to demand of him his payment; and that he was about to leave; that he had need of his money; that he did not remember at all having said to him that he would give him time.

The Court condemned the said Michel Pelletier Antaya to pay in cash and without delay his account of forty-four *livres;* and condemns M. Arundel to pay the costs, because he agreed not to press the said Antaya and has declared that he did not recollect it, when the said Antaya offered proofs, whereon M. Arundel has submitted for the payment of the said costs, for which there will be execution.

At the Same Court.

M. Arundel *vs.* Joseph Cesirre.

M. Arundel sues the said Cesirre for an account of the sum of thirty *livres* according to his account to which the said Cesirre agreed; but which he does not pay, because some one does not pay him. Whereupon the Court condemns the said Cesirre to pay to M. Arundel without delay and to pay the costs and charges.

Mr Rundel demandeur Contre janot lapensée defandeur nayant voulu paroitre et aprés avoir Eté apellé par trois fois a la porte de Laudience assignation luy ayant Eté donnée par lhuissier de la Cour le Jour de hier.

Le demandeur demande aud^t lapensée le payement de son compte p^r fourniture de marchandises montant a la somme de Cent soixante onze livres atendû son depart p^r la prairie du Chien ne pouvant atendre plus longtems.

La Cour vû le refus dud^t deffendeur de paroitre aprés assignation a luy donnée. la dite Cour le Condamne a payer sans delais son dit Compte montant a Cent soixante onze livres et aux frais et depens.

francois turgeon demandeur Contre le fevre forgeron nayant voulu paroitre aprés assignation a luy donnée Et apelle par trois Cris a la porte de laudience le s^r Chatel comparant p^r luy.

Le demandeur demande au deffendeur le payement de son salaire p^r fauchage de foin montant a la s^e de soixante une livres sur quoy le s^r Chatel a dit que le s^r Lefevre luy avoit dit quil ne luy devoit que quarante neuf livres sur quoy la Cour a condamné le deffendeur a payer sans delais ce quil doit aud^t turgeon montant a soixante une livres et aux frais Et depens ce qui sera Executé.

antoine harmand dit sans facon demandeur Contre M^r jean dumoulin deffendeur

Le demendeur demande au deffendeur une paire de Boeuf quil luy a vendu p^r la somme de 550^lb Et une paire de soulier luy ayant Consenty son billet de pareille somme pour payer dans le mois de 7^bre prochain En farine au prix du Cour les quels Boeuf led^t s^r dumoulin sest obligé verbalement de luy livrer a sa demande quil requeroit sur le refus de M^r dumoulin que la Cour loblige a luy livrer lesd^t Boeuf M^r dumoulin a repondû quil offroit de livrer lesd^t Boeuf quil reconnissoit les avoit vendû mais que par megarde le billet du s^r sans facon Etoit dechiré quil luy en avoit representé les morceau quil avoit Reconnû quil demandoit avant de luy livrer les Boeuf quil luy donna un Caution p^r payer aud^t tems et

M. ARUNDEL, Plaintiff, *vs.* JANOT LAPANCÉ, Defendant, who has been unwilling to appear, after having been called three times at the door of the audience chamber, the summons having been served on him yesterday by the *huissier* of the Court.

The plaintiff demands of the said Lapancé the payment of his account for supplies of merchandise amounting to the sum of one hundred and seventy-one *livres*, because of his departure for Prairie du Chien, and since he cannot wait longer.

In view of the refusal of the said defendant to appear after summons was given to him, the said Court condemns him to pay without delay his said account, amounting to the sum of one hundred and seventy-one *livres* and to pay the costs and charges.

FRANÇOIS TURGEON, Plaintiff, *vs.* LEFEVRE, smith, who has not wished to appear after summons was given him, and he was called three times at the door of the audience chamber and M. Chatel appeared for him.

The plaintiff demands of the defendant the payment of his wages for mowing grass, which amount to the sum of sixty-one *livres*. Whereupon M. Chatel said that M. Lefevre had told him that he owed the plaintiff only forty-nine *livres*. Whereupon the Court condemned the defendant to pay without delay what he owed the said Turgeon, amounting to sixty-one *livres* and to pay the costs and charges, for which there will be execution.

ANTOINE HARMAND called SANSFAÇON, Plaintiff, *vs.* M. JEAN DUMOULIN, Defendant.

The plaintiff demands of the defendant a pair of oxen which he sold to him for the sum of 550 *livres* and a pair of shoes, having accepted from him his note of like sum payable in the month of September next in flour at the price current; which oxen the said M. Dumoulin bound himself verbally to deliver to him on demand. He prayed, on the refusal of M. Dumoulin, that the Court compel the latter to deliver to him the said oxen. M. Dumoulin answered that he offered to deliver the said oxen and that he acknowledged that he had sold them, but that by inadvertance the note of M. Sansfaçon was torn; that he had shown the pieces of it to him; that Harmand acknowledged that he, Dumoulin, demanded,

quil luy Consenty un autre billet a la place de celuy qui Etoit dechiré par inadvertance. vû aussi la declaration de M^rs aRundel Et izidore laCroix temoins aux conventions des parties. La Cour ordonne aud^t antoine harmand de fournir un Caution au s^r dumoulin avant de luy livrer lesd^t Boeuf Et de luy refaire un autre Billet En place de celuy dechire Et a defaud par led^t s^r harmand de ce faire sous huit jours le marché sera de nule valeur Et En satisfaisant a la presente sentence ordonne au s^r dumoulin de livrer lesd^t Boeuf condamne led^t harmand aux frais.

La cour est ajournée au l^er avril prochain.

a^t girardin.

A une Cour du premier avril mil sept Cent quatre vingt dix.
M^rs antoine Girardin Presidant Charle ducharme
Philipe angel Louis Chatel

Le S^r Layle marchand de Canada demandeur Contre francois lapensée deffendeur.

Le demandeur demande au deffendeur la quantité de $298^{L}\frac{3}{4}$ de farine ou en argent 119^{lb} 10^{s} quil lui doit par son Billet Echû Et aux frais et depens oui le S^r Lapensée qui a reconnû devoir ladite Somme et quil na pas refusé le payment au demandeur. Et quil offroit Encore de payer. oui aussi led^t demandeur qui a dit quil avoit demandé nombre de fois Son payement aud^t deffendeur Et quil lavoit toujour remis de jour En jour jusqua aujourdhuy.

La cour par deliberation a Condamné le deffendeur a payer sans delais son Billet En farine ou argent Contant Et sans delais montant a $298^{L}\frac{3}{4}$ de farine ou 119^{lb}. 10^{s} En argent et aux frais et depens. ce qui sera executé

a la meme cour

le Nommé Wadel demandeur Contre pierre Lafleur deffendeur.

Le demandeur a exposé a la Cour quil avoit acheté une vache pleine du S^r Lafleur p^r quinze minots de mahis Et Cent livres de Lard moyennant qui ce seroit une Bonne vache laitiere Et

before delivering the oxen to him, that he give surety that he would pay at the said time and that he make another note in place of that which was torn by inadvertence. In view also of the affidavits of MM. Arundel and Isidore LaCroix, witnesses of the conventions of the parties, the Court decrees that the said Antoine Harmand furnish surety to M. Dumoulin, before the latter delivers to him the said oxen, and make another note in place of the torn one; and in default by the said M. Antoine Harmand to do this within a week, the bargain shall be null; and if he satisfies the present decree, the Court orders M. Dumoulin to deliver the said oxen; and condemns the said Harmand to pay the costs.

The Court adjourned to the first of April next.

Ant. Girardin.

At a Court, April 1, 1790.

MM. Antoine Girardin, President. Charles DuCharme.
Philippe Engel. Louis Chatel.

M. Layle, trader from Canada, Plaintiff, *vs.* François Lapancé, Defendant.

The plaintiff demands of the defendant the quantity of 298¾ lbs. of flour or 119 *livres* 10 *sols* in money, which he owes him on his note, and costs and charges. Heard M. Lapancé who acknowledged that he owed the said sum and said that he did not refuse the payment to the plaintiff and offered still to pay it. Heard also the said plaintiff, who said that he had demanded a number of times his payment of the said defendant and that he had always put him off from day to day until to-day.

The Court, on deliberation, condemned the defendant to pay without delay his money in flour or money, amounting to 298¾lbs. of flour or 119 *livres* 10 *sols* in money, and to pay the costs and charges for which there will be execution.

At the same Court.

The named Waddell, Plaintiff, *vs.* Pierre Lafleur, Defendant.

The plaintiff sets forth to the Court that he had bought a cow with calf for fifteen *minots* of corn and a hundred pounds of bacon with the understanding that it was a good milk cow and without fault; and that he had taken the cow to Grand Ruisseau; but that,

sans deffaud Et quil avoit Emmené la vache au grand Ruisseau mais quetant velée Elle navoit pû nourir son veau Et quil Etoit mort la mere n'ayant pû nourir que de plus il setoit apercû que ladite vache navoit que deux trions que les deux autres Etoient Secs, quil avoit fait son payement aud^{t} s^{r} Lafleur. quil Requeroit que le S^{r} Lafleur luy remete une autre vache prete a veler Bonne Et sans deffaut. ou luy remetre son payement et aux frais et depens que dailleur il ne Croyoit pas que ce fut la meme vache que le deffendeur luy avoit proposé.

oui led^{t} S^{r} Lafleur deffendeur qui a dit quil avoit vendû ladite vache aud^{t} Wadel En presence de M^{r} schemitz Et de meunier qui a Servy dinterprete, quil la averti de la visiter et que si elle ne luy Convenoit pas de la Laisser Et de ne pas lammener quil ne vouloit point de reproches. que le S^{r} schemitz lavoit visitee que vadel Lavoit visitée Et quil sen Etoit trouvé Contant Et luy avoit mis une Corde dans les cornes et Lavoit Emmenée.

En concequance avons fait faire sermant sur les Saints Evangiles au S^{r} schemitz achison qui ont dit etre present Et qui ont Expliqué a la Cour Les memes dires du demandeur. Vû aussi le Certifficat du Nommé meunier qui a Servy dinterprete aud^{t} marché et visite de ladite vache cy joint et sermante devant deux magistrats de la Cour, donné a cause de son depart led^{t} certifficat En faveur de s^{r} Lafleur. Le tout examiné la Cour a renvoyé les parties a la prochaine Cour jusques a larivée du Nommé meunier qui a servi dinterprete Et de temoins. y ayant contrarieté de deposition Entre les deux temoins de Wadel et de lafleur.

La Cour est ajournée au 1er may prochain.

A^{t} Girardin

[1] The Court never met again, for on the 27th of the month Governor St. Clair established the county of St. Clair. Thus after eleven years of existence the Court founded by John Todd came to an end. — Smith. *St. Clair Papers*, ii, 165.

after calving, she could not nourish her calf not being able to suckle it, and it was dead; that, moreover, he noticed that the said cow had only two teats, the other two being dry; that he had made his payment to the said Lafleur and that he prayed that M. Lafleur give him another cow ready to calve, good and without fault, or return to him his payment, and pay the costs and charges; that besides he did not believe that it was the same cow which the defendant had offered.

Heard the said M. Lafleur, defendant, who said that he had sold the said cow to the said Waddell in the presence of M. Smith and of Meunier who acted as interpreter; that he warned him to examine her and if she did not suit to leave her and not to take her away, that he did not wish reproaches; that M. Smith had examined her, that Waddell had examined her and that he was satisfied with her, had put a rope on her horns and led her away.

In consequence we have caused MM. Smith and Atchison, to make oath on the Holy Gospels and they have said that they were present and declared to the Court the same as the plaintiff. In view also of the certificate of the named Meunier, who acted as interpreter for the said bargain and examination of the said cow, herewith joined and sworn to before two magistrates of the Court and given because of his departure, the said certificate being in favour of M. Lafleur, and after all was examined, the Court dismissed the parties to the next Court until the arrival of the named Meunier who acted as interpreter and witness, since there is a contradiction between the testimony of the two witnesses of Waddell and that of Lafleur.

The Court adjourned to the first of May next.[1]

Ant. Girardin.

EXTRAITS DES REGISTRES DE LA JURISDICTION DES CAHOKIAS.

Enprese..... [*Over a third of the leaf torn off.*]
Et leque aux Sieur .....
Livre de compte obligation.. ....
les Ilinois et ce an Consideration ....
me faira le plaisire de donne soixa.....a leglise
dire Cent une messe et deux Service a.....de mor en foy.....
je luy donne le present pour luy Servire aux Besoin sans que ne puis linquitter ne Sachan Signe apres lecture faite je ay fait ma marque a St Louis le 28 may 1773.

P Chanarde (signe) marque + de maroy

temoin Blondeau tem

L'an Mil Sept Cent Soixant quatorze le vingt deux de November, fut Present le Sieur Charle Marois pardevant nous dit notaire que la Presente donnation qu'il a faite en faveur de Clem-[ent] L'anglois est Sa mesme tenneur en cas de mort, et faire dire; de plus Cinquant maisse Basse pour le Repost des ames du pere et de la mere du dit Marois aux Caokias Les jour et an susdit.

pd signe + Marque de Charles Marois

Senet No^te

Vû et approuvé le testament en L'autre Part donnons pouvoir au Sieur L'anglois de le mettre en Execution pourvû qu'il acquite toutes les dettes dû Deçedé Donné au Kahôs a 8^th Sep^re 1778. Signe G. R Clark

Kahôs this 12^th Dec^r 1778

True Copy of the orginal

Richard McCarty P N

[1] Cahokia record in the courthouse of St. Clair County, Ill. It was originally bound in a flexible paper cover, but is now bound in old parchment covers and the whole bound again in stiff covers. The size of the paper is 15 by 9¼ inches. There are 58 pages, four of which are blank. They are numbered Folio 5, etc. Evidently one page is missing at the beginning. The writers are the successive notary-clerks of the Court, who generally signed themselves as notaries, although most of the entries are such as French law required to be registered by the

EXTRACT OF THE REGISTERS OF THE MAGISTRACY OF CAHOKIA.[1]

In presence..... [*Over a third of the leaf torn off.*]
and bequeath to M. ....
account book, note .....
the Illinois and this in consideration .....
will give me pleasure to give sixty .....to the church....
to say one hundred and one masses and two services to....of dead. In faith [of which] I give him the present to serve him in case of need without that.....cannot disturb him. Not knowing how to sign, after reading made, I have made my mark at St. Louis, May 28, 1773. signed, Mark + of Marois.

P. Chanarde, Witness. Blondeau, Witness.

The twenty second day of November of the year one thousand seven hundred and seventy-four was present before us, said notary, M. Charles Marois, who declared that the present donation, which he has made in favor of Clement Langlois is his last wish in case of death; and that he wished to have said furthermore fifty low masses for the repose of the souls of the father and mother of the said Marois. At Cahokia the day and year aforesaid. signed

\+ Mark of Charles Marois.

Senet, Notary.

Seen and approved the testament on the other part and we give power to M. Langlois to put it in execution, provided he pays all the debts of the deceased. Given at Cahokia, September 8, 1778. Signed, G. R. Clark.

Cahokia this 12th of December, 1778.

True copy of the original,

Richard McCarty, P. N.

clerk, which title should have been used in the majority of cases. The book corresponds to the record of the modern recorder, but since there are entries of acts which are not purely legal instruments, the word *jurisdiction* has been translated by magistracy. The transcription is by the editor.

[*Reverse of torn leaf*] .....able
.....on bien da....
..... en Date 28ie d..
.....le 22m de Novembre....
.....par le Commandant de....
.....jour de September 1778.

Peletries

.....nque Barricque de Taffia a la ....Douze Cent Cinquant Livre en Peletries	1250lb " "
..nviroin quarant Livre de mauvais poudua feu a Quarant Livres en Peletries	40 " "
Item trois case de Savon de france a quatrvingt dix Livres en Peletries	90 " "
Item Deux Cent quatrevingt Livre de peau de chevreuil	280 " "
Estemer une Grand et une petit marmitte a vingt Six Livres en Peletries	26 " "
Item un Cruche et un mechant prelat a quinze Livre	15 " "
Item deux fuzil fin a Soixant quinze Livre	75 " "
Item trent neuf aun Gros Brin a trent sols L'aune	58..10 "
Item deux mals une neuf et l'autre vieux a vingt trois livre	23 " "
Item treze mouchoir rouge mais petit a Cinquant sols pr mouchoir	32..10 "
Item une Chapeau avec une Loupe et Button dore a quinze livres	15 " "
Item une Cullotte et une veste de Drouguette de soye a Trent Livres	30 " "
Item une Vielle vest d'Indienne et une jillet de tafata a trois Livre	3 " "
Item une vest et un Cullot de rats de Castore a quinze Livres	15 " "
Item une Veste de drap Brun a Beuillain de velour noir a Douze Livres	[12] " "

[*Reverse of torn leaf*] .....able
.....well....
.....under date of 28,..
.....the 22nd of November....
.....by the commandant of....
.....day of September, 1778.

	Peltries livres	sols	de
.....casks of tafia at the ....twelve hundred and fifty *livres* in peltries.	1250	"	"
..about forty pounds of poor gun powder at forty *livres* in peltries.	40	"	"
Item, three cases of French soap at nine *livres* in peltries.	90	"	"
Item, two hundred and eighty pounds of deer-skin.	280	"	"
Appraised a large and a small saucepan at twenty-six *livres* in peltries.	26	"	"
Item, one pitcher and one tarpaulin at fifteen *livres*.	15	"	"
Item, two good guns at seventy-five *livres*.	75	"	"
Item, thirty-nine ells of coarse hemp [rope?] at thirty *sols* the ell.	58	10	"
Item, two trunks, one new and the other old, at twenty-three *livres*.	23	"	"
Item, thirteen handkerchiefs, red but small, at fifty *sols* per handkerchief.	32	10	"
Item, one hat with ornament and gold button at fifteen *livres*.	15	"	"
Item, one pair of breeches and one vest with silk drugget at thirty *livres*.	30	"	"
Item, one old vest of printed calico and one tafeta waistcoat at three *livres*.	3	"	"
Item, one vest and one pair of breeches of beaver at fifteen *livres*.	15	"	"
Item, one vest of brown cloth *a Beuillain*[?] of black velvet at twelve *livres*.	12	"	"

Item un Capeaut de Cade Brun et un Jillet noir tous les deux Vieu a Sept Livre	7	" "
Transporte a l'autre pa[rt]	[L1972]	

(Folio 3 Kahôs 1778.)

	Peletries	
Suitte de Lautre part	L 1972	" "
Un Vest de Taffita Vert a douze livre cy	12	" "
Item un Capot de Cade avec de parament de Velour de Cramoiser a douze Livres	12	" "
Item une Habit & une Culot de Taffata de Coleur du Cendre tous les deux vieux	5	" "
Item deux Coupon d'une p[s] de p[s] du Rubon et deux Livre de files de Eppinette a douze Livres	12	" "
Item deux p[r] de Bas de Soyes a demie use a la some de Douze Livre	12	" "
Item deux mouchoir demie user avec deux drap de Beaufort de quatre aun vieu a dix huit Livre	18	" "
Item une petit miroire une Boucle ou Savonette une petit pot avec d'pomade deux douzaine petit Boutton a diamond et un p[r] de Boucle de jarritiere d'argent a six Livres	6	" "
Item six aun de polonaise rouge a Six Livre p[r] aun	36	" "
Item Quatre Sac de grose toil a Six Livre	6	" "
Item une Faulx une Pistolet un sortin une Goblet de Cristal et environ huit Livre de Savon tous a vingt Livres	20	" "
Item deux Terreine & un Serotte a Trois Livre	3	" "
Item une Bodette une mattalass une Petit lit de plume une vielle Casette une vielle Castete et une Gratte a Trente trois Livres	33	" "
Montant en Peletries	L 2147	" "

[1] At first the pages are numbered folio, and later alternately folio and reverso, which is the correct form.

Item, one cloak of brown *cade*[?] and one black waistcoat, both old, at seven *livres*.	7	"	"
Carried forward.	L 1972	"	"

(Folio 3, Cahokia 1778)[1]

	Peltries		
Brought forward	L 1972	"	"
One vest of green tafeta at twelve *livres*	12	"	"
Item, one cloak of *cade*[?] with trimmings of crimson velvet at twelve *livres*.	12	"	"
Item, one coat and one pair of breeches of ash color, both old.	5	"	"
Item, two remnants of [——?] ribbon and two pounds of spinet strings at twelve *livres*.	12	"	"
Item, two pair of silk stockings, partly worn, at the sum of twelve *livres*.	12	"	"
Item, two handkerchiefs, half used, with two Beaufort sheets of four ells, old, at eighteen *livres*.	18	"	"
Item, one little mirror, a buckle, a soap ball, a little jar with pomade, two dozen little diamond buttons and one pair of silver garter buckles, at six *livres*.	6	"	"
Item, six ells of red polonaise at six *livres* an ell	36	"	"
Item, four coarse cloth sacks at six *livres*.	6	"	"
Item, a scythe, a pistol, a *sortin*, [?] a glass goblet and about eight pounds of soap, all at twenty *livres*.	20	"	"
Item, two earthen jugs[2] and a *serotte* [?] at three *livres*.	3	"	"
Item, one strap bed, one mattress, a little feather bed, one old casket, one old tomahawk and a scraper at thirty-three *livres*.	33	"	"
Amounting in peltries	L 2147	"	"

[2] *Terreine* is the name given earthen jugs used for clarifying the river water.

Etats de Billiets due et par que Due

Item par la [*sic*] Sieur Honoré	60 " "
p[r] le S[r] Durand Neg[t]	27.10 "
p une mandat de S[r] Jo[s] allarie	15 " "
p[r] Jo[s] Lambert	150.10 "
p[r] LeBeau DeChene	82.10 "
p[r] L S[r] Valle Chasseur	103 " "
p[r] Le Petit Baribeau	310 " "
p[r] 2 Billet de S[r] michot Placette	239.17.6
p[r] L S[r] Lepierre	304 " "
p[r] l' S[r] Bap[t] allary	48.5 "
p[r] Aimable Lapage	150 " "
p[r] Sanfacon Lai[e]	242 " "
p[r] maillie	197 " "
p[r] argent de Colonie	55 " "
Porte autre part	L 4131.12 [6]

(Folio 4 Kahôs 1778.) Peletries

Porte d'autre Part L 4131. 12.6

Etats des Dettes par Livres de comptes
&ca &ca &ca

Items Mons[r] Pichette	2.10 "
M. Jervais	[*torn*]
M. Glaude Gagnier	[*torn*]
M. Chas DuCharme	8 [*torn*]
M Mercier fils	5 " "
M. Fagot fils	32.10 "
M. Pierre Chuavin 150 lb farine &c	1.10 "
M. Louis La mars d[t] mechant	19. 10 "
M. Milhomes forgeron	85. 16 "
M Theophile Lemai	25. 12 "
M Mylotte le jeune	3. 15 "
M Mylotte l'aine	18. 15 "
M[r] Pierre martin Ensigne	21. 15 "
M. Bap[t] Saucier	24 " "
M. Joseph allarie & Compagnie	15 " "
M. George	2. 10 "

Statement of notes due and by whom due.

Item, by M. Honoré	60	"	"
by M. Durand, merchant	27	10	"
by an order of M. Jos. Alarie	15	"	"
by Jos. Lambert	150	10	"
by Le Beau Dechene	82	10	"
by M. Vallé, hunter	103	"	"
by Le Petit Baribeau	310	"	"
by two notes of M. Michot Placette	239	17	6
by M. Lapierre	304	"	"
by M. Bte. Alarie	48	"	5
by Aimable Lepage	150	"	"
by Sansfaçon Sr.	242	"	"
by Mailhet	197	"	"
by Colonial money	55	"	"

Carried forward	L 4131	12	
(Folio 4 Cahokia, 1778.)	Peltries		
Brought forward	L 4131	12	6
Statement of debts in *livres* of account.			
etc. etc. etc.			
Item, M. Pichet	2	10	"
M. Gervais		*torn*	
M. Claude Gagnier		*torn*	
M. Chas. DuCharme	8	*torn*	
M. Mercier, Jr	5	"	"
M. Fagot Jr	32	10	"
M. Pierre Chauvin, 150 lbs. of flour, etc.	1	10	"
M. Louis La Mars called Mechant	19	10	"
M. Milhomme, blacksmith	85	16	"
M. Theophile Lemay	25	12	"
M. Milot Jr	3	15	"
M. Milot Sr	18	15	"
M. Pierre Martin, ensign	12	15	"
M. Bte. Saucier	24	"	"
M. Joseph Alarie & Company	15	"	"

M. Drouart	26. 18 "
M. D'etre	2. 10 "
M^r Thomas Brady	33. 15 "
M. Germain Voyageur	65 " "
M. Joseph Giroux	47. 10 "
M. Francois Trottier Ecuyer	14 " "
M. Dornon Soldat	4. 10 "
M. Gagnon La Mason	20 " "
M. Jimme frinos	12. 25 "
M. Etienne Eté	1. 5 "
M^me Laflanme le jeunne	6. 5 "
M^rs Denau & Hanson	7. 10 "
M. Renard Deloge	6. 5 "
M. Touranjeau Lieu^t	9. 15 "
M. Monette	4. 10 "
M. B^te Metot	2. 10 "
M. Dormeur Lafleur	1. 5 "
M. Beaulieu	5 " "
M. Charles Valle Chasseur	2. 10 "
M. Mercier pere	1. 5 "
M. Chabot	21 " "

porte autre part	[L 4731 12 "]
(Folio 5 Kahôs 1778.)	Peletries
Suitte de l'autre Part	L 4731. 12 "
M^r Govard d^t Barron p^r compte	13. 10 "
M. Louis Pillet	4. 5 "
M Joseph LaPança	2. 15 "
M. Demoulin	7. 10 "
M. Prennovaux	18 " "
M. LaGrave	5 " "
M. Rassette	6 " "
M. Antoine Boyer	2. 10 "
M. Reille	1. 17. 6
M. Louis Trottier	2. 10 "
M. Cocue Coorville	3. 15 "

M. George	2	10	"
M. Drouart	26	18	"
M. Détre	2	10	"
M. Thomas Brady	33	15	"
M. Germain, traveler	65	"	"
M. Joseph Giroux	47	10	"
M. François Trottier, Esquire	14	"	"
M. Dornon, soldier	4	10	"
M. Jimmie Frincs	12	5	"
M. Etienne Eté	1	5	"
Madame Laflamme Jr.	6	5	"
MM. Denau & Henson	7	10	"
M. Renard Desloges	6	5	"
M. Touranjeau, Lieut	9	15	"
M. Monette	4	10	"
M. Bte. Methot	2	10	"
M. Dormeur Lafleur	1	5	"
M. Beaulieu	5	"	"
M. Charles Vallé, hunter	2	10	"
M. Mercier, Sr.	1	5	"
M. Chabot	21	"	"

Carried forward	L 4731	12	"
(Folio 5 Cahokia, 1778.)	Peltries		
Brought forward	L 4731	12	"
M. Govard called Baron for account	13	10	"
M. Louis Pillet	4	5	"
M. Joseph Lapancé	2	15	"
M. Dumoulin	7	10	"
M. Prenouvau	18	"	"
M. Lagrave	5	"	"
M. Racette	6	"	"
M. Antoine Boyer	2	10	"
M. Reilhe	1	17	6
M. Louis Trottier	2	10	"
M. Cocue Courville	3	15	"

Comptes des negress

La negresse a Govard	81	"	"
Le negre a Mon^{r} Trottier Joseph	35.	10	"
La mullatresse a M^{r} Saucier	80	"	"
Francois negre a LeCompte	41	"	"
Rose negresse a M Buteau	8	"	"
Sasa negre a Jacquett	16	"	"
Rose la negress a M^{r} Saucier	21	"	"
Moreaux le negre au Compte	16.	5	"
Cabrie Negre a M^{r} Touranjeau	11	"	"
Negress a Robert	6	"	"
manuel a Beaulieu	7	"	"
Therese negress a Beaulieu	21	"	"
Etienne La sauvage a Taillion	4	"	"
Cotton de maillier a Touranjeau	10	"	"
Alexis Sauvage a Cadien	26.	10	"
Jean Bap^{t} Negre a Beaulieu	35.	10	"
Pompée negre a Sanfaçon	7	"	"

montant en Peleteries	L 5,224.	19.	6
Erreur dans l'original de	30.	18.	6
montant de l'original	L 5,255.	18	"

Apres avoir tous Estemer et Examinier n'ayant plus rien Trouver des Biens du Defunt Charls Marois nous avons Clos ledit Inventaire en Presence des Messieurs Francois Trottier Capitaine de Milice et pierre Martin Ensigne de milice tous les deux Resident du Village de Cahokias arrette a la somme de Cinq Mille Deux Cent Cinquante Cinq Livre dixhuit sols six deniers en Peletries le jour et L'an cidevant Stipules &ca.

Signe fr^{s}. Trottier

marque de Pierre Martin un Croix

Jn^{o} B, Mansen Scripsit

Enregistrée a la requisition de Mons^{r} Clement L'anglois 14 de Dec^{r} 1778

pd 40^{lb} m Richard McCarty C. & N. P.

[1] Moreau, sold to Lecompte, and Manuel, sold to Beaulieu, were the negroes executed

Account of negresses.

The negress to Govard	81	"	"
The negro to M. Trottier, Joseph	35	10	"
The mulatto girl to M. Saucier	80	"	"
François, negro, to Lecomte	41	"	"
Rose, negress, to M. Buteau	8	"	"
Sasa, negro, to Jacquet	16	"	"
Rose, negress, to M. Saucier	21	"	"
Moreau, negro, to Lecomte[1]	16	5	"
Cabrie, negro, to M. Turanjeau	11	"	"
Negress to Robert	6	"	"
Manuel to Beaulieu	7	"	"
Therese, a negress, to Beaulieu	21	"	"
Etienne, the savage, to Taillon	4	"	"
Cotton de Maillier to Touranjeau	10	"	"
Alexis, savage, to Cadien	26	10	"
Jean Baptiste, negro, to Beaulieu	35	10	"
Pompée, negro, to Sansfaçon	7	"	"

Amounting in peltries	L 5,224. 19. 6
Error in the original of	30. 18. 6
Amount of the original	5,255. 18. "

After having appraised and examined everything and having found no other goods of the deceased Charles Marois we have closed the said inventory in the presence of MM. François Trottier, captain of the militia, and Pierre Martin, ensign of the militia, both residents of the village of Cahokia and agreed on the sum of five thousand two hundred and fifty-five *livres* eighteen *sols* six *deniers* in peltries the day and year here before stated etc.

Signed Fr. Trottier.

Mark of Pierre Martin, a cross.

John B. Mansen scripsit.

Registered at the requisition of M. Clement Langlois, the 14th of December 1778.

Pd. 40 *livres* in money [?] Richard McCarty, N. P.

[1] for poisoning M. and Madame Nicolle. Pompée, sold to Harmand called Sansfaçon, is the negro over whom the latter had so much trouble in regard to the payment. See pp. 135, 137, 196, n. 1.

Le soussigné resident Des Kahos Compte Des illinois ayant eté appellé au Service de sa patrice Et etant a present audit Service qui peut lappeller hor de cette Conte Et Province et pour faire son devoir audit service est obligé d'abandonné toute Commerce Et nayant D'autre Moyen pour payé ses debts quavec L'argent Courant de ce pays. Cest pourquoy tous Ceux qui ont quelque Demande Contre luy sont requis de ce presenter pour en recevoir Le payement düe au dix de juin au quel temp le service de son patrie Loblige de donner toute son attention, pourquoy il ne pouroit repondre a aucune action intenté Contre luy. quau retour Du dit Service, ainsi Ceux qui doivent audit Suppliant Sont requis de faire payement Sans plus de delay toutes personnes qui ont de Ses Bons ou Billet de Subsistance pour la Compagnie Sont requis incessament de les presenter pour En Etre payé.

Donné au Fort Bowmante 4 juin 1779, Signe Richard McCarty Capitaine du batailon Illinois.

Enregistré a la Requisition du Mons^{r} richard McCarty, Le 4 juin 1779 fr. saucier N. P.

(Folio 7. Kahôs 1779.)

Dans Le Cour de Septembre prochain Je payeray a lordre de Mons^{r} Dav^{de} MCrai et Comp^{gie} La Somme de deux Milles quatrevingt treize Livres Cinq Sols en Castor et Pelleteries Savoir le Castor a cinquante Sols, Les Loutres a Six franc, Et Les autres pelleteries au prix Courant du poste pour Valeur recue dudit Sieur Et ne Sachant signé a fait sa marque ordinaire en presence de temoins cy apris. au Grand MaKokité Le 29 Juillet 1779 —— une croix pour Joseph Roy + Lafantaisi temoins.

Dans Le Court de Septembre prochain Je payeray a L'orde de Mons Dav^{de} MCrai et Compa^{gnie} La Somme de deux Cent quarente huit Livres dix Sols payable en Castor Et pelleteries Savoir Le Castor a Cinquante sols La livres Les Loutres a Six frans pour Valeur recue p^{r} Son Compte en Marchandises a Defaut

[1] This announcement was made in anticipation of the contemplated expedition against Detroit in June, 1779.—English, *Conquest of the Northwest*, i, 369.

The undersigned, a resident of Cahokia in the county of the Illinois, having been called to the service of his country and being at present on the said service, which may call him out of this country and province, and in order to perform his duty in the said service, is obliged to abandon all commerce; and not having other means to pay his debts except with the current money of this country, he requires for this reason that all those who have any claim against him present themselves to receive the payment due therefor on the tenth of June, at which time the service of his country obliges him to give all his attention;[1] and also this is the reason why he cannot answer action brought against him until his return from the said service; and also those who owe the said petitioner are required to make payment without longer delay; and all persons who have his *bons* or notes of support for the company are required immediately to present them to be paid therefor.[1]

Given at Fort Bowman, June 4, 1779. Signed Richard McCarty, Captain of the Illinois Battalion.

Registered at the requisition of M. Richard McCarty June 4, 1779. Fr. Saucier, N. P.

(Folio 7, Cahokia, 1779.)

In the Court of September next I will pay to the order of M. David McCrae and Company the sum of two thousand and ninety-three *livres* five *sols* in beavers and peltries, to wit: the beaver at fifty *sols*, the otters at six *francs* and the other peltries at the current price of the post, for value received from the said gentleman; and not knowing how to sign, he has made his mark in the presence of witnesses hereafter named. At Grand Makokite,[2] the 29th of July, 1779 — a cross for Joseph Roy. + Lafantaisie, witness.

In the Court of September next I will pay to the order of M. David McCrae and Company the sum of two hundred and forty-eight *livres* ten *sols* payable in beaver and peltries, to wit: the beaver at fifty *sols* the pound, the otters at six *francs*, for value received according to his account in merchandise; in default of which, if I cannot sell the said merchandise, I promise to return

[2] Grand Makokite is in the present state of Iowa.

de quoy si je ne puis vendre Les dites Marchandises de Les remettre en même nature Comme Elle Sont porté sur ma facture Et ne Sachant signé jay fait ma marque ordinaire en presence de temoins ci apres. au Grand makokité Le 29 Juillet 1779. — marque de Joseph Roy+.

La fantaisie Temoins

Enregistré a La requisition du Sieur Charle Gratiot Le 17 D'aoust 1779. F. Saucier N^re^ P

A qui Conque il appartiendra dautant que Charle Gratiot Isaac Levy, et Jean Baptiste Hubert Lacroix sujet de la Republic de la Virginie et habitant de la Ville des Cahoskias, ayant représenté quayant fait des depenses considerables en cherchant a procurer et ramasser un Capitale ou une Masse Convenable pour le Commerce Sauvage, Et quil Sera dans leurs pourvoir de fournir Les Etats en provisions ou autre Chause necessaire, Lesquelles sont a présent difficultueuse a avoir En Consequence Nous trouvo[ns] necessaire de les autoriser a accomplir leurs desirs ayant demandé une traitte Exclusive pour un Certain tems selon les limites prescrites.

(Folio 8, Kahôs 1779.)

a present il faut savoir que pour mieux les autoriser a Executer Leur Dessin patriotique Jay accordé Et accorde par ses présente aux dits Charle Gratiot Isaac Levy Et Jean Baptiste Hubert Lacroix de ce Jour Jusqu'au premier D'avril prochain Le seul Et Exclusif pouvoir de commerce et Libre trafic selon Les Limites prescrites cy bas; Cest a dire, Commencent a la Ville des Cahoskias de la montant Le Mississipi Jusqu'a lentré de la rivierre des Illinois, et de Chaqu'unes des pointes ou places des dittes bornes, leurs limites Setendeons sur le Coté de l'Ouest Vingt Lieu Dans les profondeurs.

Toutes fois que ceux qui ont Eté revetu des permis pour Les dittes traittes, Et qui ont des Marchandize destiné pour Le même Commerce, il Leur Sera permis d'en disposer Selon Les bornes prescrittes, Jusquau premier d'octobre prochain.

Pourvûe que Laditte Societté Sera en tout tems responsable

them in the same kind as they are entered in my invoice; and not knowing how to sign, I have made my mark in the presence of witnesses hereafter named. At Grand Makokite the 29th of July. Mark of Joseph Roy +.

La Fantaisie, witness. F. Saucier, N. P.

Registered at the requisition of M. Charles Gratiot, August 17, 1779.

To whomsoever it may concern: Inasmuch as Charles Gratiot, Isaac Levy and Jean Baptiste Hubert LaCroix, subjects of the Republic of Virginia and inhabitants of the village of Cahokia, have shown that they have made considerable expense in seeking to procure and collect a capital and a suitable fund for trade with the savages; and inasmuch as it will be in their power to furnish the States with provisions and other necessary things which are at present difficult to obtain: consequently we find it necessary to authorize them to accomplish their desires, as set forth in their prayer for an exclusive trade for a certain time within prescribed limits.

(Folio 8, Cahokia, 1779.)

Now it must be known that in order to empower them better to carry out their patriotic design, I have granted and do grant by these presents to the said Charles Gratiot, Isaac Levy and Jean Baptiste Hubert LaCroix from this day until the first of April next the sole and exclusive power of trade and free traffic within the limits prescribed herebelow: that is to say, commencing at the village of Cahokia, from there ascending the Mississippi up to the mouth of the Illinois river; and from each point and place of the said boundaries we extend their limits on the side of the west [east?] twenty leagues in depth.

Nevertheless it should be known that it is permitted those who have been given permission for the same trade and who have merchandise destined for the same commerce, to dispose thereof within the prescribed limits until the first of October next.

Provided that the said society shall be at all times responsible

pour Leur bonne Et Juste Conduitte au pouvoir Civile Comme si devant Et se soumetteront aux Loix Requise.

Donné sous ma main Et Seaux aux Cahoskias le premiers Jour de Septembre Et la quatrieme Année de notre Republic anno Domini, 1779. signé John Todd.

Je Sertifie La presente pour veritable Copie tirés de l'anglois aux Cahoskias 2me Septembre 1779. Signé W [?] Gooding, secy.

Enregistré a la requisition du Sieur Charle Gratiot aux Cahos Les 10me 7bre 1779.

fr. Saucier Nre. P

Moy Le Soussigné natif de Connatucit dans la nouvelle Engleterre Comté de Hartford ayant son nom Et autre pour Lequel Je suis Commencer et aist Etabli (dans L'année de notre seigneur mil Sept Cent soixante et quinze) une Certaine quantité de terrin sur le Bord du Mississipy a L'este vis a vis le Village de St Louis du Coté Des Espagnol sur L'oust de la dit rivierre quantité point Connû tennant du Coté du Sud le long La rivierre de Mr Labbé Commenceant a une branche entre dans le Mississipi du bord du quel en allant ouest Jusqu'a lac manissioui Entre Dans Laditte

(Folio 9, Kaôs 1779.)

rivierre de mr Lablé, Et du Coté du nord Commenant a un Certain Cautonier vis a vis une Certaine Cote de rocher sur le Bord despagne du mississipy en allant ouest Jusqu'au Lac dudit Manissioüi, Etant et Joignant du Coté D'ouest pardevant par le mississipy par le Sud par la rivierre de mr Lablé par L'est par le lac manissioüi et au nord par de terre non concedé Et Come Le Soussigné ait fait de Grand depence pour Etablir des Moulin Sur La dite rivierre de mr Labbé ou ils sont actuellement il a Fait suivant La Coutume Du païs prendre Et en a fait Clau et Labourer une partis D'un Certain Terrain de La Largeur de dix arpant sur le Coté du Sud dudit Rivierre allant de ladite rivierre sud au nord du Grand marrais Joignant du Coté de ouest au terre prise par Les habitants des Cahôs et a l'est au terrin non Consedé Et Comme

[1] The French of this document is impossible, and several passages, of which the opening one is the worst, are untranslatable. McCarty's French is at best remarkable, but this document excels the others in peculiarities. It has seemed impossible to certify the correctness of each error, so I will give a blanket certificate that the above is a correct transcription. The

for their good and just conduct to the civil power as herebefore and submit themselves to the required law.

Given under my hand and seal at Cahokia, the first day of September and the fourth year of our Republic *Anno Domini* 1779. Signed John Todd.

I certify that the present is a true copy translated from the English. At Cahokia, September 2, 1779. Signed

W. [?] Goodin, Sec'y

Registered at the requisition of M. Charles Gratiot at Cahokia, the 10th of September, 1779. Fr. Saucier, N. P.

I, the undersigned, native of Connecticut in New England, county of Hartford, in his name and another's, have begun to and have laid off (in the year of our Lord, 1775) a certain strip of land on the east bank of the Mississippi and opposite the village of St. Louis of the Spanish side on the west, area not known.[1] It extends on the southern side along the river of M. Labbé, commencing at a branch which enters the Mississippi, from the banks of which it extends west as far as where lake Manissiouri enters the said river of M. Labbé; and on the north

(Folio 9, Cahokia 1779.)

commencing at a certain roadway [?] opposite a certain rocky bluff on the Spanish bank of the Mississippi, it extends west to the said lake Manissiouri, being bordered on the west by the Mississippi, on the south by the river of M. Labbé, on the east by the lake Manissiouri and on the north by non-ceded land. And since the undersigned has been at great expense to establish mills on the said river of M. Labbé, where they are at present, he has caused it to be taken up in accordance with the custom of the country and has made enclosure thereon and put in cultivation a part of a certain field of ten arpents in extent on the southern side of the said river, extending from the said river south to the north of the Grand Marais[2] and adjoining on the western side the land occupied by the inhabitants of Cahokia and on the east the land

handwriting of the original is very clear, so that the only chance of error is through oversight; but since every line offered its own peculiarities in grammar and spelling, the document has been studied more carefully than others.

[2] A river in Cahokia district.

quand Le Soussigné a pris Ces dit terrins il n'etoit point determiner dans quel province Elle Sera Le Soussigné n'avoit point fait application a aucune pour des titres, Le Commandant pour Lors Etant dans ce pays (Cap^{t} Lord) me disoit que mes Etablissement Etoit suffisant pour me procurer icelle quand cella seroit decidoist a présent par La faveur de DIEU nous vivant sur et dans un etat Libre et indépendant et nous Jouissons de tous nos Droit comme peuple Libre Je madresse au Majistrat dud^{t} District quil fasse Enregistrer dans leur Gref ce placar que par la Suitte personne ignore mes prétention en foy de quoy Jay Signé la présente au Cahôs le 10 jour de Juin 1779.

(Signé) Richard M. Carty

Enrégistré a la requisition de Sieur richard M Carty aux le 11 octobre 1779

fr saucier Nr P.

Extrait Des registres de la Juridiction Des Cahôs.

aujourdhuy dixieme Jour du mois de Septembre mil Sept Cent Soixante Et Dix neuf, Est Comparu au Greffe de Se Siege marie aubuchon porteuse du testament de deffeunt rené Locat passé pardevan Le notaire Soussigné Le vingt quatre Juin contenant Ce qui Suit.

(Folio 10, Kaôs 1779.)

Lan mil Sept Cent Soixante Et dix neuf le Vingt quatrieme Jour du mois de Juin fut présent Sieur René Locat habitant demeurant au Village des Cahôs Lequel Etant malade depuis Longtems sans neanmoin desprit memoires Et entandement ainsi quil a paru au notaire soussigné, et des temoins Enfins només Considerant quil n'en rien de plus Certins que La Mort ni de plus incertains que Son heure Crayant D'en Etre prevenu sans avoir disposer du peu de Bien quil a plut a dieu Luy donner a fait dicter et nomé audit Notaire et temoins soussigné Son present testament et ordonnance de derniere Volonté En La maniere qui Suit PREMIEREMENT Comme Chrétien Et Chatholique a reCommandé

[1] This claim was allowed to McCarty's heirs by the U. S. land commissioners.—*Amer. State Pap., Pub. Lands*, ii., 160.

not conceded. And since at the time when the undersigned took up these said lands it was not decided in what province this country was to be, the undersigned did not make application to any one for title-deeds, and the commandant at that time in the country, Captain Lord, told me that my buildings were sufficient to procure for me the same when it should be decided. Since now by the favor of God we are living safe and in a free and independent state and are enjoying all our rights as a free people, I address myself to the magistrates of the said district that they may cause to be registered in their office this announcement that in the future no person be ignorant of my pretentions. In faith of which I have signed the present at Cahokia the 10th day of June, 1779.[1]

(Signed) Richard McCarty.

Registered at the request of M. Richard McCarty on the 11th of October, 1779.

F. Saucier, N. P.

Extract of the Registers of the Magistracy of Cahokia.

To-day the tenth day of the month of September, 1779, there appeared at the office of this Court Marie Aubuchon, bearer of the last will and testament of the deceased René Locat, made before the undersigned notary the 24th of June, which contains what follows:

(Folio 9 Cahokia 1779.)

The year, 1779, the 24th day of the month of June, there was present M. René Locat, inhabitant domiciled in the village of Cahokia, who, having been sick for a long time without loss, however, of intelligence, memory and understanding, as appeared to the undersigned notary and witnesses named below, and considering that there is nothing more certain than death and more uncertain than its hour, and fearing to be overtaken thereby without having disposed of the little property which it has pleased God to give him, has dictated to the said notary and undersigned witnesses his present last will and testament in the manner which follows: In the first place as Christian and catholic he recommends his soul to God the Creator, Father, Son and Holy Ghost, supplicating His divine goodness, by the infinite mercy of our Lord Jesus

Son ame a dieu Le Createur pere fils Et S^t^ Esprit Supliant Sa divine Bonté par les merite infinie de notre Seigneur JESUS CHRIST et par L'intercession de la Cour Celeste Le placer au royaume des Cieux au nombre des bienheureux VEUT et entand Ledit testateur que Ses deptes Soyent payé et tor par Luy fait si auqu'un Se trouve reparés par son heritier Cy aprés nommés, il desire premierement que Son Coprs [*sic*] soit Entéré dans Le Simitier de cette paroisse au nombre des fidelle trépassé Et quil Luy Soit Cinquante Messe ou Services pour le repôs de Son ame pendant le Cour de l'année Et quand aux regards de tous Les Biens meubles immeubles propres acquits et Conquest a Luy appartenant de telle nature quils puissent Etre Et en quelle Endroits quils Soyent Situé Sans auqu'un riserve, il les donne Et abandonne a dame Marie aubuchon Son epouse pandant Sa vie durante pour en Jouir Sen Servire et en recevoir Lusufruct et méme Les Vendre ou aliener si elle Se trouve dans le cas d'en avoir besoin, et en disposer Comme de Chose a Elle appartenant de plain droits en Cas de necessité pandant son veuvage, Et se pour reConnoitre Les bons services peines soins et ontentions que lad^tte^ dame Marie Aubuchon sa femme a eu pour luy et quil espere quelle aura tant quil plaira a dieu de Les Lesser ensemble; Et aprés La mort de Lad^tte^ dame Marie aubuchon Led^t^ Testateur Substitue pour Son Heritier universelle Et Légitime La personne de Gabriel Marlot son Beau fils a qui il donne Et abandonne de tout Et a toujour En plaines propriété tous les biens Meubles Et immeubles propres acquets Et Conquets qui resteront de lad^tte^ succession aprés La mort de ditte dame Marie aubuchons sa mere Et Epouse dud^t^ testateur, ce que led^t^ Gabriel Marlot prendra La ditte Succession En l'etat quelle Se trouvera, aprés La mort de Sa ditte Mere, Si mieux toute fois il n'aime y renoncer.

(Folio 11, Kaôs 1779.)

Et pour tous Les autres prétendants a laditte Succession il leur Donne Et Legue a chaqu'un La Somme de Sinq Sols une fois

[1] The regular words used to describe the manner in which property has been acquired. The *propres* are property obtained by direct inheritance or gift from ascendants; the *acquets*, that acquired in other ways before marriage; the *conquets* are same, only acquired after marriage.—Viollet, *Hist. du droit civil Français*, 824.

Christ and by the intercession of the Celestial Court to receive him in the Kingdom of Heaven among the number of the blessed. The said testator wishes and requires that his debts be paid and that if any wrong is found to have been committed by him that reparation be made by his heir hereafter named. He desires first that his body be interred in the cemetery of this parish among the number of the faithful who have departed this life and that there be held fifty masses or services for the repose of his soul during the course of the year. As regards all his real and personal property, inherited or acquired before or after marriage,[1] belonging to him of whatever nature and in whatever place it may be situated, without any reserve he gives and devises it to Marie Aubuchon, his wife, to possess and make use thereof during her natural life and to receive therefrom the usufruct and even to sell and alienate it, if she finds there is need thereof, and to dispose thereof as a thing belonging to her in full right, in case of necessity, during her widowhood; and this is done to give recognition to the good services, labor and care which the said Madame Marie Aubuchon, his wife, has had for him and which he hopes she will have so long as it shall please God to leave them together; and after the death of the said Madame Marie Aubuchon, the said testator substitutes for his sole and legitimate heir the person of Gabriel Marlot, his stepson, to whom he gives and devises entirely and forever in full proprietorship all the real and personal property, inherited or acquired before or after marriage, which shall remain of the said estate after the death of the said Madame Marie Aubuchon, his mother and wife of the testator; that is to say that the said Gabriel Marlot shall take the said estate in the state that he shall find it after the death of his said mother, if he does not prefer to renounce it.

(Folio 11, Cahokia, 1779.)

And to each of the other pretendants to the said estate he gives and bequeaths the sum of five *sols* in full satisfaction of all claims; and he revokes and annuls all other testaments which he may have made herebefore to the prejudice of the present one, which alone he determines to be his last will and testament and

payé revoquant Et annullant tous autres testaments quil pourroit avoir fait ci devant aux prejudice des presentes au'quelles Seul il Sarette Comme Etant Sa derniere Volonté quil Entant toujour Etre valable nonobstant Surrannation ou l'absence du tems atendu que Sa Maladie le pouroit encore prolonger Longtems ci dont il ne peut prevenir La finie. Et pour l'execution des presentes a nommé pour Son procureur Testamentaire La personne de Monsieur Cerré. Marchand residant aux KasKasKias, pour agir et faire valoir aprés Son decest le present Testament qui nous a eté ainsi dicté et nommé par led^t^ Sieur Testateur en presence des témoins et nous notaire Soussigné et a luy Lue et relu quil a dit Entendre et veut quil Soit ainsi Executé selon Sa teneur.

Fait en La Maison dudit rené Locat En presences des Sieurs francois trotier Equier, p^re^ Godin Cap^te^ de Milice Michel Beaulieu J^n^ B^te^ Saucier Et Amable Lepage Tous Cinq habitant residens aux Cahôs a ce requis et appellés pour témoins qui ont avec nous Notaire Signé Le present Testament et led^t^ rené Locat a dit ne le Savoir de ce interpelle a fait une Croix pour marque aprés Lecture faite aux Cahôs Le Vingt quatrieme Jour du mois de Juin a six heure de relevé Mil Sept Cent Soixante Et dix neuf signé a l'original une + pour marque de rené Locat francois trottier p. Godin B^te^ saucier Et amable lepage Et nous notaire soussigné. se requerant Ladt^tte^ dame marie aubuchon insinuation dud^t^ testament Lecture faite di celuy En notre greffe nous Lavons insinué Et enregistré sur les registres des insinuation de ce Siege suivant L'ordonnance pour servir et valoir Ce que de raison dont acte Le dit Jour Et an. fr saucier N^re^ P.

Extrait des registre de La Juridiction Des CaHos.

aujourdhuy Cinquieme Jour du mois de Juin Mil sept Cent quatrevint Est Comparu au Greffe de ce Siege Monsieur Richard McCarty Capitaine au Bataillion des illinois porteur d'une Commission de Capitaine au Contenant ce qui Suit. the COMMONWEALTH of Virginia to Richard McCarthy Esquire: Know you that from thé Spécial trust and Confidence which is reposed in your patriotism, Fidelity, Courage, and Good Conduct, you are, by these presents, Constituted and appointed Captain of a

which he requires to be held valid notwithstanding the expiration or absence of time, because his sickness may still prolong his stay here, the end of which he can not foresee. And for the execution of these presents he has named for his testamentary attorney the person of M. Cerré, trader residing at Kaskaskia, to act and cause to be maintained after his decease the present testament, which has been signed in the presence of witnesses and of us, the undersigned notary, and read and reread to him; and he has said he required and wished that it be so put in execution in accordance to its tenor.

Made in the house of the said René Locat in the presence of MM. François Trottier Esquire, Pierre Godin, captain of the militia, Michel Beaulieu, Jean Bte. Saucier and Amable Lepage, all five inhabitants domiciled at Cahokia summoned and called as witnesses, who have with us, the notary, signed the present testament, and the said René Locat has said that he did not know how to sign and has made a cross for his mark after reading was made. At Cahokia the 24th day of month of June at six o'clock in the afternoon, 1779. Signed in the original a + for the mark of René Locat, François Trottier, P. Godin, Bte. Saucier and Amable Lepage and we the undersigned notary. The said Madame Marie Aubuchon requiring registration of the said will and testament, after reading was made of it in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will certify, the said day and year.

Fr. Saucier, N. P.

Extracts of the Registers of the Magistracy of Cahokia.

To-day the fifth day of the month of June, 1780, there appeared at the office of this Court M. Richard McCarty, captain in the Illinois battallion, bearer of a commission of captain, containing what follows: The Commonwealth of Virginia to Richard McCarty, Esquire. Know you that from the special trust and confidence which is reposed in your patriotism, fidelity, courage and good conduct, you are by these presents constituted and appointed captain of a company in the battallion of regular forces raised for

Compagnie in the Battalion of regular forces raised for the defence and protection of this State Illinois County and for repelling every hostile invation thereof. You are therefore Carefully and diligently to discharge the duty of Captain by doing and performing all Manner of things thereunto belonging; and all officers and Soldiers under your Command are hereby Strictly charged and required to be obedient to your orders as Captain and you are to observe and follow Such orders and directions, from time to time, as you shall receive from the executive power of this

(Folio 12, Cahós 1780.)

State, or any your Superior officers, according to the rules and dicipline of War, in purSuance of the trust reposed in you. Witnes patrick Henry Esquire Gouvernour or chief Magistrate of the Commonwealth aforesaid, this first day of March in the third year of the Commonwealth, annoq dom. 1779.

fr. saucier Gref Signé) P Henry

Et au dos Est Ecrit

Illinois County wit

Richard McCarty esq. was duly qualified before me to the within Commission the 13th June 1779.

(Signed) Jn Todd Jr.

Extrait Des registre de la Juridiction Des Cahokias.

aujourdhuy Cinquieme Jour du mois d'octobre Mil Sept Cent quatrevingt Est Comparu au Greffe de Se Siege Est Comparu [*sic*] Le Sieur Yacinte St Cirre porteur de Son testament de derniere Volonté passé pardevant Le notaire soussigné Contenant ce qui Suit.

Par devant Le notaire publique aux village des Cahokia et des témoins Soussigné fut present Sieur Yacinte Saint Sire demeurant a St Louis, Desirant Sabsenter pour quelque tems de ce pays, Et Considerant quil ny a rien de plus Certain que La mort ni de plus incertain que Son heure Crayant d'en etre prevenu Sans avoir disposer du peu de bien quil a plut a dieu Luy donner a fait dicter audt notaire Et temoin Soussigné Son present testament, et ordonnance de derniere volonté de La maniere qui Suit Si il plait a dieu de disposer de Luy. premierement veut et Entand Le dit testateur

the defence and protection of this state, Illinois county, and for repelling every hostile invasion thereof. You are therefore carefully and diligently to discharge the duty of captain by doing and performing all manner of things thereunto belonging; and all officers and soldiers under your command are hereby strictly charged and required to be obedient to your orders as captain, and you are to observe and follow such orders and directions, from time to time, as you shall receive from the executive power of this state or

(Folio 12, Cahokia 1780.)

any of your superior officers, according to the rules and discipline of war, in pursuance of the trust reposed in you.

Witness, Patrick Henry Esquire, Governor or Chief Magistrate of the Commonwealth aforesaid, this first day of March in the third year of the Commonwealth, in the year of the Lord, 1779.

Fr. Saucier, Clerk. (Signed) P. Henry.

And on the back is written Illinois County to wit:

Richard McCarty Esq. was duly qualified before me to the within commission the 13th of June, 1779.

(Signed) John Todd Jr.

Extract of the Registers of the Magistracy of Cahokia.

To-day the fifth day of the month of October 1780, there appeared at the office of this Court M. Yacinte St. Cyr, bearer of his last will and testament passed before the undersigned notary, containing what follows:

Before the notary public in the village of Cahokia and undersigned witnesses, there was present M. Yacinte Sainte Cyr, dwelling in St. Louis, who desires to absent himself some time from this country, and considering that there is nothing more certain than death nor more uncertain than its hour and fearing to be overtaken without having disposed of the little property that it has pleased God to give him, he has had dictated to the said notary and undersigned witnesses his present last will and testament in the manner which follows, should it please God to take him away. In the first place the said testator wishes and

que Ses Deptes Soyent payé et tor par Luy fait Si aucun ce trouve Et quand au regard de tous Ses biens il donne Et Legue deux mil Livres en argent a Yacinte S^t^ Cirre fils de pierre S^t^ Cirre son fillau. et quand au reste de tout ce qui peut Luy appartenir dans Le païs des Illinois, Veut et Entand Led^t^ testateur que La moitié Sera delivré au pauvre et L'autre moitié pour faire prié Dieu pour Le repos de Son ame Et pour tout autre qui pouroit pretendre a laditte Sucession Sil Sen trouvoit Led^t^ testateur Leurs Legue et donne a Chaqu'un Cinq Sols une fois payé, revoquant et annullant par Ces presentes tout autre testament quil pourroit avoir fait cy devant au prejudice du présent auquel Seul il Sarette Comme Etant sa derniere Volonté quil entend toujour Etre valable Et Pour Lexecution des presentes Led^t^ testateur a Choisi Et nommé Pour Son Executeur testamentaire La personne de Monsieur Gabriel Cerré negociant residant a Saint Louis d'agir en Consequence du présent testament sur tous Les Biens

(Folio 13, Cahôs 1780.)

quil a et peut avoir dans Le païs des Illinois Et veut quil Soit Executer Selon Sa teneur Fait et passé En Letude Lan Mil Sept Cent quatrevingt Et Le Cinquieme Jour du mois d'octobre aprés midy En presence des Sieurs francois trotier B^te^ Dubuc Jn B^te^ Lacroix Et charle Lefevre temoins a ce requis qui ont Signé a Lexception dud^t^ Sieur Yacinte S^t^ Cirre qui a declaré ne Le Savoir Et a fait Sa marque dune Croix aprés Lecture faite Suivant L'ordonnance ainsi Signé a Loriginal une + pour marque de Yacinte S^t^ Cirre fr trotier Ch^re^ Lefevre J. B^te^ Lacroix et B^te^ Dubuc Et nous notaire soussigné. fr saucier

1781 Extrait des registre de La Juridiction Des Cahôs.

aujourd'huy troisieme Jour du mois d'vril [*sic*] Mil Sept Cent quatrevingt un Est Comparu au Gref de ce Siege Le Sieur pierre prevost porteur d'une Léttre a Luy adressé Signé Thomas Bentley datté du quatorze decembre Mil Sept Cent quatrevint Contenant

requires that his debts be paid and any wrong committed by him, if any is found, righted, and as regards all his property, he gives and bequeaths two thousand *livres* in money to Yacinte St. Cyr, son of Pierre St. Cyr, his god-son; and as to the balance of all that which may belong to him in the country of the Illinois, the said testator wishes and requires that half shall be given to the poor and the other half to cause prayer to be made to God for the repose of his soul. And to each of the other pretendants to the said estate, if any be found, the said testator bequeaths and gives five *sols* in full satisfaction of all claims; and he revokes and annuls by these presents all other testaments which he may have made to the prejudice of the present one, which alone he determines to be his last wish and which he requires always to be valid; and for the execution of the presents the said testator has chosen and named for his testamentary executor the person of M. Gabriel Cerré, merchant residing in St. Louis, who is to take action in

(Folio 13, Cahokia, 1780.)

consequence of the present testament in regard to all the property which he has and may have in the country of the Illinois and he wishes that it be put in execution according to its tenor. Made and passed in the office in the year, 1780, and the fifth day of the month of October in the afternoon, in the presence of MM. François Trottier, Bte. Dubuque, Jean Bte. LaCroix and Charles Lefevre, witnesses summoned for this purpose, who have signed with the exception of the said M. Yacinte St. Cyr who has declared that he did not know how and has made his mark with a cross, after the reading was made, in compliance with the ordinance. Thus signed in the original a + for the mark of Yacinte St. Cyr, Fr. Trottier, Charles Lefevre, J. Bte. LaCroix and Bte. Dubuque and we the undersigned notary.

Fr. Saucier.

Extract of the Registers of the Magistracy of Cahokia.

To-day the third day of the month of April, 1781, there appeared at the office of this Court M. Pierre Prevost, bearer of a letter addressed to him and signed Thomas Bentley, dated the 14th of December, 1780, containing what follows: Sir: M.

Ce quil Suit. Monsieur–Le Sieur Dejean propose de vous envoyer au detroit porter des Lettres, Comme il vous Connoit et que Je Lui ait dit que vous Etié for [*sic*] Capable de faire ce voyage, il vous donnera douze cent frans, cest un Bon prix je vous Conseille de Le faire. vous me rendré Service aussi, attendu que Je veux Ecrire pour des marchandises; vous ne risqué rien, nous vous conceillerons de façon quil ne vous arivera rien; Si vous vous Decidé a y aller venés ici tout de Suitte; vous pourrés engager un Sauvage aux Cahôs pour vour guider attendu quil faut que vous passié par Le même Chemin que vous avé pris avec Le Colonel Labalme; M^r^ Dejean ne veut pas que vous passié par Le poste, attendu que Ce Chemin n'est pas pratiquable a causes des Eaux, D'ailleur il est trop Long: Si vous Croyé ne pas pouvoir avoir un Sauvage, taché d'avoir un Blanc pour vous guider, Si vous ne voules pas y aller faitte nous réponce tous de Suitte Je Suis votre Serviteur.

Signé) T Bentley.

Ce requerant Led^t^ Sieur pierre prevost insinuation de Laditte Lettre Lecture faitte D'icelle en nôtre Greffe nous L'avons insinué Sur Les registre des insinuations de Se siege Suivant L'ordonnance pour Servir et valoir ce que de raison dont acte Le dit Jour et an. fr saucier N P.

Folio 14, Cahôs 1781.

Extrait des registre de La Juridiction Des Cahôs.

aujourd'huy troisieme Jour du moi d'avril Mil sept Cent quatrevingt un est Comparu au Greffe de se Siege Le Sieur pierre Prevost porteur D'une Lettre adressé a M^rs^ Les habitant Des Illinois En Genèral et particulierement a Ceux Des Caskaskia Contenant Se qui Suite.

du fort Jefferson le 11 Jan 1781

Mes chers amis et Compatriotes.

C'est avec Le plus profond regret que Jay appris que vous Estes volé et pillié, par ceux que vous appelles nos Gens, soyes bien assurés que Jen réssens Beaucoup de peine, et que Jem-

[1] The letter is another proof that Bentley maintained his connections with Canada while asserting his fidelity to the States. See *Introduction*, p. xcvi.

[2] This is a reference to the exactions of Bentley, Dodge, and Rogers. See *Introduction*, p. xcv.

Dejean proposes to send you to Detroit to carry some letters, since he knows you and I have said to him that you are competent to make this journey. He will give you twelve hundred *francs;* it is a good price and I advise you to do it. You will render me a service also seeing that I wish to write for some merchandise. You risk nothing. We will advise you so that nothing will happen to you. If you decide to go there, come here at once. You can engage a savage at Cahokia to guide you seeing that it is necessary for you to travel by the same road which you took with Colonel Labalme. M. Dejean does not wish you to pass by the Post, since that road is not practicable on account of water; besides it is too long. If you think you cannot get a savage, try to get a white man to guide you. If you do not wish to go there, send us an answer at once. I am your servant.

(Signed) T. Bentley[1]

The said M. Pierre Prevost requiring the registration of the said letter, after reading was made thereof in our office, we have inscribed it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect of which this act will testify, the said day and year.

Fr. Saucier, N. P.

(Folio 14, Cahokia 1781.)

Extract of the Registers of the Magistracy of Cahokia.

To-day the third day of the month of April, 1781, there appeared at the office of this Court M. Pierre Prevost, bearer of a letter addressed to MM. the inhabitants of the Illinois in general and particularly to those of Kaskaskia, containing what follows:

Fort Jefferson, Jan. 11, 1781.

My dear friends and compatriots:

It is with the most profound regret that I have learned that you are robbed and pillaged by those whom you call our people.[2] Be well assured that I feel great grief about it and that I shall employ my efforts to remedy the causes of all your complaints and grievances. M. Kennedy has always been duly authorized to conduct all our public business in your country. He has at present my instructions to make the purchase of supplies for our garrison.

ploiray tous mes Efforts pour remedier a touttes Vôs plaintes et tous vos Griefs; Monsieur Kenedy a tourjour été duement autorisé pour gerer touttes nôs affaires publique dans vôtre païs. il a actuellement mes instruction pour faire L'achapt des vivres pour nôtre Garnison, Je vous prie de le Crediter, Car Jay toutte ma Confiance en Sa Bonne Conduitte, et Ses abilités, particulierement parcequ'il a été Longtems un de vôs Concitoyens; J'auray toujours Egard a vôs plaintes, et tant quil Sera a mon pouvoir Jy metteray ordre, mais Comme Le Colonel clark Sera avec nous de bon printems, Je Suis persuadé quil vous donnera une ample Satisfaction de touttes Les injures que vous a réellement faites. fiés vous d'un antiers et generaux payement pour toutes Les provisions que M^r Kenedy aura achettés chés vous et Soyés assurés de La bienviellance du Gouvernment Envers vous. Permetté moy L'honneur de me souscrire mes Chers amis et Compatriotes Votre trés humble et trés obeissant Serviteur Et Sincere amy.

Signé Robert George Cap^ne Commandant

Vray Copie traduitte de Langlais par, signé J Gerault.

aux Kas Le 24 Janvier 1781

Ce requerant Led^t Sieur pierre Prevost insinuation de la Ditte Lettre, Lecture faitte d'icelle En notre Greffe nous L'avons insinué et enregistre sur Les registre, des insinuation de Se Siege Suivant L'ordonnance pour Servir et valoir ce que de raison Dont acte, Ledit Jour et an. fr. saucier N P.

Extrait des registre de La Juridiction des Cahôs.

aujourd'huy quatrieme Jour du mois d'avril est Comparu au Greffe de Se Siége Le Sieur pierre prevost porteur D'un pouvoir a Luy Donné par Les habitant des Cahôs pour representer Leurs

(Folio 15, Cahôs 1781.)

Griefs au Gouvernement de Virginie Contenant Se qui Suit. Je moy francois trottier Commandant du district des Cahôs a la requisition du public, ayant assemblé Les Citoyens dud^t district pour nomer une personne pour représenter nos Griefs au Gouvernement de Virginie Et Congrés des Etats unis de L'amerique si

[1] Robert George was a native of Virginia and a kinsman of George Rogers Clark. He was a skilled gunner and enlisted in the regular army. He was sent with James Willing to

I pray you to trust him, for I have all confidence in his good conduct and his ability, particularly because he has been for a long time one of your fellow citizens. I shall always give attention to your complaints and so far as it will be in my power I will see thereto; but since Colonel Clark will be with you in the spring, I am persuaded that he will give you full satisfaction for all injuries which have been really made you. Count on entire and generous payment for all the provisions which M. Kennedy shall have bought from you and be assured of the good-will of the government toward you. Allow me the honor, my dear friends and compatriots, of signing myself your very humble and very obedient servant and sincere friend. Signed Robert George.[1]

Captain Commandant.

True copy translated from the English by (Signed) J. Gerault. At Kaskaskia January 24, 1781.

The said M. Pierre Prevost requiring the registration of the said letter, after reading was made of it in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year.

Fr. Saucier, N. P.

Extract of the Register of the Magistracy of Cahokia.

To-day the fourth day of the month of April there appeared at the office of this Court M. Pierre Prevost, bearer of a warrant given to him by the inhabitants of Cahokia to represent their

(Folio 15 Cahokia, 1781.)

grievances to the government of Virginia containing what follows: I, François Trottier, Commandant of the district of Cahokia, at the requistition of the public, have assembled the citizens of the said district in order to name a person to represent our grievances to the government of Virginia, and to the Congress of the United States of America if need be. Consequently we have named and do name M. Pierre Prevost to whom we give power to make for

attack the British posts on the Mississippi in 1778. On his return he joined Clark in Illinois and served through the war. This letter won him the good will of the French, and it is mentioned particularly in the memorial sent by the people of Kaskaskia to the governor of Virginia.—*Menard Col. Tard. Papers.* George died in Utica, Ind.—English, *Conquest of the Northwest*, i, 366.

Besoin Est; En Consequence nous avons unanimement nommées et nommons Le Sieur pierre prevost auquel nous donnons pouvoir de pour nous Et en nôtre nom, Lieu et place, faire nos representation audit Gouvernement de Virginie ou autres endroits quil Sera necessaire Suivant nos Droits Conformement au Loix naturel et Coutumes de ce païs; nous Luy recommendon Exprécement de Sinterresser pour nous, pour tout Ce qui regarde nos interest premierement, de La façon que nous avons reçue, noury, et Logé Les troupes de L'etat de Virginie Et Comme nous avons Eté payé avec de Largent qui ne nous a été d'aucune Valeur, Ce qui nous a ruiné Totallement et nous mis présentement hors d'Etat de faire Subsister nos femmes et nos familles, nous ayant été promis par Les personnes en place que Ses fournitures nous Seroient payé En marchandise a Bonne Composition, au Contraire Ces mêmes Marchandises, disoit on destiné pour nous nont Servie qu'a retirer La plus grande partie a Ces papiers a vil prix ce qui ne Sera pas difficile a Luy de prouver; Ce que nous Consentons quil face avec toute verité et equitté possible, Luy Donnant tout pouvoir a cette Effest, promettant avoir tout ce qui Sira fait par Ledit Sieur prevost pour agréable Et Le ratifier Si Besoin Est; Et pour Le reconnoitre des Service quil Veut Bien nous rendre, nous Luy allouons une piastre Gourde pour Chaqu'ne de Ses journées a Compter

(Folio 16, Cahôs 1781.)

du Jour de Son depart de ce poste, Jusqu'a son arrivé, Et Ce payable a Son retour Ce dont nous Sommes Convenue, et avons Signé aux Cahôs Le 3. D'avril 1781. signé fr trottier, J^n^ B^te^ Lacroix, armant, beaulieu, j b mercié, Langlois, Jervais, dubuc, Jn. Lepage L. trogué, B Saucier, Isaac Levy, P. martin, George Blin, une + pour Marque de francois Courié une idem pour S^r^ Lapencé, une idem pour ant Boyée une autre idem pour J^n^ poirié, une idem pour Loui gau, une autre idem pour Clem^t^ Alary, une idem pour Louis pillet, une autre idem pour piere Dorion, une idem pour pierre roy, une idem pour jean Dehay, une idem pour S^r^ Cecire, une idem pour Ch^le^ Butau une autre idem pour Louis Lebrun.

[1] This petition was carried by Pierre Prevost and Richard McCarty. McCarty was attacked by the Indians and killed, and his papers were captured. I do not know whether the petition was sent later to the governor or not. See *Introduction*, p. ciii.

us and in our name and stead our representation to the said government of Virginia or other places that it shall be necessary according to our rights conformably to the natural law and customs of this country. We recommend him expressly to interest himself for us and for all that which concerns our interests: firstly by telling how we have received, nourished and lodged the troops of the State of Virginia and how we have been paid with money which has been of no value to us, which has ruined us totally and put us out of condition now to support our wives and families; and that we were promised by persons in position that these supplies would be paid for in merchandise at a fair settlement, but that this same merchandise, which they said was destined for us, was used only for retiring the greatest part of this paper at a low price, a proceeding which it will not be difficult for him to prove and which we consent that he do with all truth and equity possible, giving him all power to this effect. And we promise to sanction all that shall be done by the said M. Prevost and to ratify it, if need be. And to recompense him for the services which he agrees to render us, we allow him a *piastre gourde* for each

(Folio 16, Cahokia, 1781.)

day counting from the day of his departure from this post until his arrival, and this payable on his return. This we have agreed and have signed at Cahokia the 3d of April, 1781. Signed, Fr. Trottier, Jean Bte. LaCroix, Harmand, Beaulieu, J. B. Mercier, Langlois, Gervais, Dubuque, Jean Lepage, L. Troge, B. Saucier, Isaac Levy, P. Martin, George Blin, a + for mark of François Courier, the same for M. Lapancé, the same for Ant. Boyer, another for Jean Poirier, the same for Louis Gaud, another for Clem. Alarie, the same for Louis Pillet, another for Pierre Dorion, the same for Pierre Roy, the same for Jean Deshayes, the same for M. Cesirre, the same for Ch. Buteau, another for Louis Lebrun.[1]

The said M. Pierre Prevost requiring the registration of the said commission, after reading was made of it in our office we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used

Ce requerant Led^t Sieur pierre Prevost insinuation du dit pouvoir, Lecture faitte de celuy en notre Greffe nous L'avons insinué et enregistré Sur Les registre des insinuations de Se Siege Suivant L'ordonnance pour servir et valoir ce que de raison dont acte, Le dit Jour Et ans. fr. saucier

Extrait des registres de la Juridiction des Cahôs.

aujourd'huy vingt Cinq du mois de mars mil Sept Cent quatrevingt deux Est Comparu au Gref de ce Siege Sieur Joseph motard porteur dune procuration passé par devant le notaire Soussigné Le vingt trois du présent Contenant Ce qui Suit. pardevant Le notaire Soussigné aux village des Cahokia et En présence des témoins soussigné nomé, fut présent en Sa personne Sieur Joseph motard negocient cy devant résident a S^t Louis, Lequel a par ces présentes fait et Constituer son procureur General Et Spétial La personne de Mons^r michel Beaullieu habitant Demeurant au Susdit Lieu des Cahokia, auquel il donne pouvoir de pour Luy et En son nom demender Et recevoir, et Se faire rendre Compte par Monsieur DuBreüil S^t Cyr des Sommes dont il aura Eté payé

(Folio 17, Cahôs 1782.)

suivant Letat qui Luy a Eté remis par mondit Sieur motard Et Son reçeu au Bas toutte fois que ce ne Sera que Lorsque Mondit Sieur DuBreüil S^t Cyr partira du païs a moin que La paix ne Ce fasse avant Et que Ledit Sieur procureur Constituer trouve occasion de faire parvenir a mondit Sieur motard en europe Les Sommes que mondit Sieur DuBreüil S^t Cyr aura Entre Les main suivant Led^t Etat quil En a reçeu, Et au Cas de depart dudit Sieur avant La paix, sera Loisible aud^t procureur Constituer de remêtre a tel personne quil Jugera a propôs La ditte Somme moyenant assurance ou de la Garder Luy même Jusqu'a ce quil a puisse faire tenir aud^t Sieur motard promettant aprouver et ratifier Comme il aprouve Et ratifie tout Ce qui Sera fait au moyens Des presentes Sans quil Soit Besoin d'un pouvoir plus Special fait et passé En etude aux Cahôs L'an mil Sept Cent quatrevingt deux Le vingt trois du mois de mars aprés midy en présence de M^rs

[1] The passage is very obscure and the translation has therefore been made as literal as possible.

and have its effect, of which this act will testify, the said day and year.

Fr. Saucier.

Extract of the Registers of the Magistracy of Cahokia.

To-day the twenty-fifth of the month of March, 1782, there appeared at the office of this Court M. Joseph Motard, bearer of a power of attorney passed before the undersigned notary, the twenty-third of the present month, containing what follows: Before the undersigned notary at the village of Cahokia and in the presence of the undersigned and named witnesses, there was present in his person M. Joseph Motard, merchant hitherto residing in St. Louis, who has by these presents made and constituted his attorney, general and special, the person of M. Michel Beaulieu, inhabitant domiciled in the aforesaid place of Cahokia, to whom he gives power for him and in his name to demand and receive and to cause to be rendered to him an account by M.

(Folio 17, Cahokia, 1782.)

Dubreuil St. Cyr of the sums which he shall have been paid according to the statement, which has been delivered to him (Beaulieu) by the said M. Motard, with his receipt below; provided this shall only be valid when the said M. Dubreuil St. Cyr shall set out from the country, unless the peace is made before, and provided the said constituted attorney find occasion to send to the said M. Motard in Europe the sums which M. Dubreuil St. Cyr shall have in his hands according to the said statement which he has received;[1] and in case of the departure of the said gentlemen before the peace, it will be permissible to the said constituted attorney to confide to such person whom he judges fitting the said sum, provided he receives security, or to keep it himself until he can put it in the possession of M. Motard, who promises to approve and ratify, as he approves and ratifies, that which shall be done by means of this present without there being need of a more special power. Made and passed in the office at Cahokia in the year, 1782, on the twenty-third of the month of March in the afternoon, in the presence of MM. Matthieu Saucier and François Lapancé, witnesses summoned for this, who have signed with us, notary, after

math. Saucier et francois Lapancé temoins a Ce requis qui ont Signé Et nous notaire Lecture faitte Signé a Loriginal J motard mth. Saucier francois Lapancé Et fr saucier notaire. Et plus Bas Est ecrit en outre led^{t} Sieur motard a declaré devoir audit Sieur Beaullieu La Somme de Cinq Cent Livres par Son Billet Laquelle ditte Somme il prendra Sur celle quil recevra de m^{r} DuBreuil S^{t} Cyr Et a signé Le Jour et an Et Laditte Somme de Cinq Cent Livres demender quand il Le voudra Ce requerant Ledit Sieur J. motard insinuation de laditte procuration Lecture faitte di celuy en notre Gref nous l'avons insinué Et enregistré Sur Les régistres Des insinuation de Ce Siege Suivant L'ordonnance pour Servir Et valoir ce que de raison dont acte ledit Jour et ans.

fr saucier

Extrait des registre de la Juridiction des Cahôs.

au Jourd'huy Cinq du mois de Septembre mil Sept Cent quartre vingt deux Est Comparu au Gref de ce Siege sieur Gabriel Cerré porteur d'une obligation de Sieur ant. armant, a la Suitte de laquelle il Contient Ce qui suit. ayant Eté Condanné par la Cour de payer la ditte obligation, Je moblige Sous l'hipoteque de tous mes Biens Generallement payer au Sieur Gabriel Cerré La Somme de mil Six Cent quarente Six livres En argent Et

(Folio 18, Cahôs 1782.)

l'interest de laditte Somme dans un an de Cette datte Sans que l'une obligation Deroge a l'autre Et pour plus Grande Sureté, Jay par ces presentes hypotequé plus Spetialement ma maison Sise et Situé au village de Cahô tenant d'un cotté a Jean Lapencé Et de L'autre Separé par une rue aux Cahô le 5 7^{bre} 1782 A harmand. Et plus Bas Est ecrit, Je Soussigné que la rente de la Somme Si dessu ma eté payé Jusqua ce Jour au Cahô le 5 7^{bre} 1782. Cerré. ce requerant Led^{t} Sieur Cerré insinuation dud^{t} obligation, Lecture faite diceluy En notre Gref, nous L'avons insinué, et enregistré Sur Les registres des insinuations de ce Siege Suivant l'ordonnance pour Servir et valoir ce que de raison dont acte Le dit Jour Et ans. fr saucier N P

[1] See pp. 135, 137.

reading was made. Signed on the original, J. Motard, Mth. Saucier, François Lapancé and Fr. Saucier, notary. And below is written: Furthermore the said M. Motard declared that he owed the said M. Beaulieu the sum of five hundred *livres* by his note, which said sum he shall take from that which he shall receive from M. Dubreuil St. Cyr, and he has signed the day and year, and the said sum of five hundred *livres* he may demand, when he shall wish. The said M. J. Motard requiring the registration of the said power of attorney, after reading thereof was made in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year. Fr. Saucier.

Extract of the Registers of the Magistracy of Cahokia.

To-day the fifth of the month of September, 1782, there appeared at the office of this Court M. Gabriel Cerré, bearer of an obligation of M. Ant. Harmand, at the end of which is contained what follows: Having been condemned by the Court to pay the said obligation,[1] I bind myself by the mortgage of all my goods generally to pay to M. Gabriel Cerré the sum of one thousand

(Folio 18, Cahokia, 1782.)

six hundred and forty-six *livres* in money and the interest of the said sum in a year from this date, without one obligation being derogatory to the other; and for greater surety I have, by these presents, mortgaged more specially my house situated in the village of Cahokia, on the one side adjoining Jean Lapancé's and on the other separated by a street. At Cahokia, the 5th of September, 1782. A. Harmand. And below is written: I, the undersigned, [acknowledge] that the interest of the above sum has been paid me up to this day. At Cahokia, September 5, 1782. Cerré. The said M. Cerré requiring the registration of this obligation, after reading was made thereof in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year.

Fr. Saucier, N. P.

Extrait des Registres de la Juridiction des cahos.

Aujourd'huy huitiesme jour de Novembre mil sept cent quatre vingt deux est comparu au greffe de ce siege le Sr joseph Labuxiere procureur des Etats des virginie porteur de Sa commission Lequel En vertu de la Sentence de Messieurs les Magistrats de cette Cour En datte du jour de hier Nous a requis Lenregistrement de Sa dite Commission portant ce qui suit.

Je Soussigné jean Girault procureur pour LEtat de virginie En la comté des ilinois.

Lemploy dofficier militaire auquel il a plû a LEtat de me Nommer ne me permetant pas de pouvoir plus longtems Remplir la place de procureur pour ledit Etat En la Comté des ilinois a laquelle charge jay Eté Nommé par commission en datte du Cinq juin 1779. Etant d'une necessité indispensable de Nommer une personne capable de me remplacer dans ladite charge Connoisant la sage conduite Capacité et experiance du Sr joseph Labuxiere Son Zele Et affection pour le service de lEtat et le Bien

(Folio 19, Cahôs 1782.)

du public, je luy Nommé Et Nomme par ces presentes procureur dud^{t} Etat de la virginie pour me remplacer En ladite charge dans tout letandue de la comté des ilinois En consequance requerir pour led^{t} Etat de virginie tout ce qui est de la competance de cette charge tant en matieres Civiles que Crimineles Et a cet Effet jouir de tous les honneurs, droits, privileges, Emolumens et préeminances y atachés, prendre connoissance de toutes succesions vacante, ou autres qui tomberon a lintestat, En faire les recherches, poursuites et diligences et recouvrement pour En rendre compte a qui de droit il apartiendra Et pour le tout Se Conformer aux loix Et Statuts Etablis par letat de virginie En la susdite comté des ilinois, prions M^{r} Richart Winston gouverneur Civil En la dite Comté de prouver notre Nomination En la personne dud^{t} S^{r} Joseph Labuxiere et de le faire reconoitore En ladite qualité de procureur par tous les colons Et Sujets de ladite comté des ilinois Et tous autres quil apartiendra En foy de quoy avons signé la presente Commission et a icelle aposé notre Cachet ord^{re} donné En la ville des Caskakias aux ilinois le vingt neuf juin mil sept cent quatre vingt un. signé Girault.

Extract of the Registers of the Magistracy of Cahokia.

To-day the 8th day of November, 1782, there appeared at the office of this Court M. Joseph Labuxiere, state's attorney of Virginia, bearer of his commission, and in virtue of the decree of the magistrates of this Court, yesterday, he has required of us the registration of his said commission, which contains what follows:

I, the undersigned Jean Girault, attorney for the State of Virginia in the county of the Illinois.

Since the employment of military officer, to which it has pleased the State to appoint me, makes it impossible for me to fill any longer the place of attorney for the said State in the county of the Illinois, to which office I was appointed by a commission dated the fifth of June, 1779; and since it is indispensably necessary to appoint a person capable of replacing me in the said office and I know the wise conduct, capacity and experience of M. Joseph Labuxiere and his zele and affection for the service of the State and the public welfare, I have appointed and do appoint him by these presents state's attorney of Virginia to replace me in the said office throughout the whole extent of the county of Illinois; and consequently to demand for the said State of Virginia all that which belongs to the competence of this office both in matters civil and criminal; and for this purpose to enjoy all the honors rights, privileges, emoluments and dignities attached thereto; to take cognizance of all estates in abeyance or others which shall be intestate, to make inquiries, suits, proceedings and recoveries therefor, in order to render account thereof to whom by right it shall belong; and in all things to conform himself to the laws and statutes established by the State of Virginia in the county of Illinois aforesaid. We pray M. Richard Winston, civil governor in the said county, to approve our appointment in the person of the said M. Joseph Labuxiere and to cause him to be recognized in the said capacity of attorney by all the colonists and subjects of the said county of Illinois and by all others whom it shall concern. In faith of which we have signed the present commission and placed our seal thereon. Given in the village of Kaskaskia in the Illinois, the twenty-ninth of June 1781, Signed Girault.

Nous Richart Winston Gouverneur Civil En la Comté des ilinois.

Veû la presente commission que nous avons homologué Et homologuons. En consequance avons receû Et recevons led^t^ S^r^ joseph Labuxiere procureur pour lEtat de virginie En la comté des ilinois Et Ses dependances Sous le Sermant quil a presentement preté de Se conformer aux statuts Et reglements dud^t^ Etat pour ladite comté des ilinois, laquelle reception nous avons faite du Consentement unanime des magistracts Soussignéz tenant la cour de justice En cette ville des caskakias En foy de quoy avons signé la presente que nous avons scellé de Notre Cachet ord^re^ Et delivré au s^r^ Labuxiere pour lui servir ce que de raison, En la ville des caskakias aux ilinois le 29 juin 1781. Signé Richard Winston, Jacques lasource magistrat presid^t^, Godin, janis, Barbeau, Louviere tous magistrat Et loriginal de present Enregistrement delivré aud^t^ S^r^ Laubuxiere Et avons signé led^t^ jour et an.

Labuxiere fr. saucier N. P.

(Folio 20, Cahôs 1783.)

Extrait des registres de LaJuridiction des Cahô.

Aujourd'huy huitieme jour de novembre mil sept Cent quatre vingt trois, Est Comparu aux Greffe de Siege le Sieur Charle Charleville demeurant aux caskaskia porteur d'une reconnoissance du Sieur [*blank*] pourée, nous a requis Lenregistrement de laditte Reconnoissance portant Ce qui suit.

Jay reçeu de Monsieur Charle Chauvin Charleville un reçeu de Monsieur fagot de lagarsseniere, Consenti a mondit Sieur Charle Chauvin Charleville de la Somme de Vingt Et un Mille neuf Cent Soixante Et dix Livres Et aux Environs de quatre Cent Livres de paux de chevreuil Et un petit paquet de Castor, La reconnoissance de Monsieur fagot Lagarceniere En datte du huit aoust mil Sept Cent soixante Et dix huit, En outre une procuration que ledit Charleville ma donné pour pouvoir poursuivre Le Sieur fagot En Son nom, Et faire mon possible pour retirer La ditte somme suivant le receu de monsieur fagot La Guarsinaire, Si Je ne puis rien retirer de M^r^ fagot Je remettré Les pieces reçeu de mons^r^ Charleville a luy même Et il me remettra le présent

We Richard Winston, Civil Governor in the County of Illinois.

Having seen the present commission, we have confirmed and do confirm it and in consequence we have received and do receive the said M. Joseph Labuxiere as attorney for the State of Virginia in the county of the Illinois and its dependencies under the oath which he has now made to conform to the statutes and regulations of the said State for the county of Illinois, which reception we have made with the unanimous consent of the undersigned magistrates holding the Court of justice in this village of Kaskaskia. In faith of which we have signed the present which we have sealed with our seal and delivered to M. Labuxiere for his use, of which this act will testify. In the village of Kaskaskia in the Illinois, June 29, 1781. Signed, Richard Winston, Jacques Lasource, presiding magistrate, Godin, Janis, Barbau, Louviere, all magistrates, and the original of the present registry was delivered to the said M. Labuxiere; and we have signed the said day and year.

Labuxiere Fr. Saucier, N. P.

(Foilo 20, Cahokia, 1783.)

Extract of the Registers of the Magistracy of Cahokia.

To-day, the eighth of November, 1783, there appeared at the office of [this] Court M. Charles Charleville, residing in Kaskaskia, bearer of a receipt from M. [*blank*] Pouree, and he has required of us the registration of the said receipt which contains what follows:

I have received from M. Charles Chauvin Charleville a receipt of M. Fagot de Lagarceniere given to the said M. Charles Chauvin Charleville for the sum of twenty-one thousand nine hundred and seventy *livres* and about four hundred pounds of deer-skins and a small package of beaver. The receipt of M. Fagot de Lagarceniere bears date of the eighth of August, 1778; furthermore a power of attorney which the said Charleville gave me to empower me to sue M. Fagot in his name and to do my best to obtain the said sum according to the receipt of M. Fagot de Lagarceniere. If I can do nothing about obtaining the sum from M. Fagot, I shall return the papers received from M. Charleville to him and he will return the present. Made at St. Genevieve January 1, 1782.

fait a S^tte^ Genevieve le 1 Janvier 1782. signé lugirre pourée, Ce requerant Ledit Sieur Charleville insinuation de Laditte reconnoissance Lecture faitte diceluy En nôtre Greffe nous Lavons insinué Et Enregistré sur les registre des insinuation, De ce Siege suivant L'ordonnance pour servir Et valoir ce que de raison dont acte Led^t^ jour Et ans.

fr. saucier N. p.

Extrait des registres de la jurisdiction des Cahos.

aujourdhuy dixieme jour de Novembre mil sept cent quartre vingt trois est comparû le s^r^ joseph Labuxiere N^re^ Lequel Nous a Requis lenregistrement de la commission qui suit.

Veu la requete a nous presentee par le s^r^ joseph Labuxiere en datte du 10 x^bre^ 1782. sachant que le gouvernement n'a Rien de plus a coeur que de donner aisance a tous Ses Sujets de gagner leur vie honestement, de chercher, obtenir et posseder le Bonheur partout ou ils pouront L'avoir, et les assister de Son authorité et puissance pour que chacun puisse exercer Ses talans et etre util a la societé.

En vertu du pouvoir a Nous donné par M^r^ jean Tood Ecuyer

(Folio 21, Cahôs 1784.)

gouverneur Civil En la comté des ilinois et Ses dependances Nous avons permis et permetons a M^r^ joseph Labuxiere pere dEtablir un Notaria en cette dite comté a lendroit ou il fera Sa residance et a cette fin de passer et recevoir en qualité de Notaire public dans toute Lentendue de ladite comté et district tous actes contracts Et invantaires partages, Encan, Et generalement tout ce qui est de la competance dun Notaire sans que personne puisse sy oposer, Letat voulant que chaque individû jouisse dune plaine liberté de metre Sa confience en tel Notaire quil jugera a propos en concequance avons ce jourdhuy recû le sermant d'office dud^t^ S^r^ Labuxiere qui a promis et juré de Se conformer aux Statuts du gouvernement Et usages acoutumés, et Sera libre en Cas dincompatibilité de Substituer une personne pour faire les fonctions de procureur de l'Etat dans les affaires qui le requereront et ou il ne pouroit exercer les deux charges dans une meme affaire en foy de quoy Nous luy avons delivré la presente Commission ainsy que

Signed Leger [?] Pourée. The said M. Charleville requiring the registration of the said receipt, after reading was made thereof in our office, we have inscribed and registered it in the record of registrations of this Court in compliance with the ordinance, that it may be used and have its effect, of which this act will testify, the said day and year.

Fr. Saucier, N. P.

Extract of the Registers of the Magistracy of Cahokia.

To-day, the tenth of November, 1783, there appeared M. Joseph Labuxiere, who has required of us the registration of the commission which follows:

Having seen the petition presented to us by M. Joseph Labuxiere under date of December 10, 1782, and knowing that the government has desired nothing more than to give facility to all its subjects to gain their livelihood honestly and to seek, obtain and possess happiness wherever they can obtain it, and to assist them with its authority and power in order that each may exercise his talents and be useful to society:

In virtue of the power given to us by M. John Todd Esquire,

(Folio 21, Cahokia, 1784.)

civil governor in the county of Illinois and its dependencies, we have permitted and do permit M. Joseph Labuxiere Senior, to establish a notariat in this said county at the place where he shall have his residence and to this end to draw up and receive in his capacity of notary public, throughout the extent of the said county and district, all instruments, contracts and inventories, settlements, auctions and in general to do all that which belongs to the competence of a notary, without any person being permitted to make opposition thereto; for the State wishes that each person enjoy full liberty to place his confidence in such notary as he shall judge fitting. In consequence we have this day received the oath of office from the said M. Labuxiere, who has promised and sworn to conform himself to the statutes of government and customary usages; and he shall be free, in case of incompatibility, to substitute some one to perform the functions of state's attorney in the affairs which require one, and where he cannot exercise

de Raison que nous avons signé et Scellé de Notre Cachet ordinaire aux Caskakia le douze decembre mil sept cent Cent [*sic*] quatre vingt deux, signé sur la commission Richard Winston Lieutenant de Compte. Laquelle Commission nous avons Enregistree Et remis loriginal aud^t^ s^r^ Labuxiere pour luy servir ce que de raison Et avoir recour a lenregistrement cy dessus En cas de Besoin dont acte lesd^t^ jour et an.

fr. saucier N^re^.

Extrait des Registres de la jurisdiction des Cahos.

Du dix avril mil Sept cent quatre vingt Cinq. aujourdhuy est comparû le S^r^ joseph Labuxiere tuteur des Enfans mineurs de deffunt jean B^te^ jacquemain dit lajoye de la prairie du Rocher Lequel nous Requis lenregistrement cy aprés.

Je soussigné tuteur des Enfans mineurs de deffunt jean B^te^ jacquemain dit lajoye de laprairie du Rocher averty tous ceux qui ont pris des effets a lencan dud^t^ deffunt jacquemain que led^t^ Encan dans le present mois davril et que les adjudicataires ayent a payer eux ou leurs cautions leurs adjudications Entre les mains de M^r^ Barbeau capitaine commandant a la prairie du Rocher qui leur donnera quittance En mon absence Faute de quoy il leur est declaré quil payeront les frais et depens que lon fera pour aler chés eux leur demander le recouvrement Et en outre Linterest Suivant la Loix Et coutume Etablie pour les mineurs fait En mon domicile des Cahos le 9 avril 1785. signé Labuxiere Et plus Bas Est Ecrit Envoyé une copie aux Kas a M^r^ de Montbrun et a M^r^ Barbeau pour afficher chacun dans les Lieux de leurs dependances le 10 avril 1785.

signé Labuxiere tuteur
fr. saucier N. P.

* * * * * * * * * * * *

(Folio 36. 1786.)

aujourdhuy vingt huit decembre mil Sept cent quatre vingt Six est comparû au greffe de ce siege le S^r^ gabriel Baron habitant

[1] All pages between the reverse of folio 21 and folio 36 are omitted. These pages contain the copies of documents in a suit between Laurent Durocher of St. Louis and Pollard & Masson of Detroit in regard to a consignment of goods. The men interested are all from

the two duties in the same affair. In faith of which we have delivered the present commission and have signed and sealed it with our seal at Kaskaskia, the twelfth of December, 1782. Signed on the commission, Richard Winston, County Lieutenant; which commission we have registered and returned the original to the said M. Labuxiere that he make use thereof and have recourse to the above registry in case of need; of which this act will testify, the said day and year.

Fr. Saucier, Notary.

Extract of the Registers of the Magistracy of Cahokia.

On the tenth of April, 1785, to-day, there appeared M. Joseph Labuxiere, guardian of the minor children of the deceased Jean Bte. Jacquemain called Lajoye of Prairie du Rocher, who has required of us the registration of what follows:

I, the undersigned guardian of the minor children of the deceased Jean Bte. Jacquemain called Lajoye of Prairie du Rocher, notify all those who have taken goods at the auction of the deceased Jacquemain, the said auction [having been held] in the present month of April, that the purchasers have to pay for them or [give] their surety for their purchases into the hands of M. Barbau, captain commandant at Prairie du Rocher, who will give them receipts in my absence; in default of which, notice is given to them that they shall pay the costs and charges, which are made in going to them to demand the recovery, and also the interest according to the law and established custom for minors. Made in my domicile at Cahokia April 9, 1785. Signed, Labuxiere. And below is written: Sent a copy to Kaskaskia to M. de Monbreun and M. Barbau for each to post in the places of their dependencies, April 10, 1785.

Signed Labuxiere, guardian.

Fr. Saucier, N. P.

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(Folio 36, 1786.)

To-day the twenty-eighth of December, 1786, there appeared at the office of this Court M. Gabriel Baron and Marie Louise

[1] St. Louis or Detroit, and the documents do not form an integral part of the Cahokia records The entries are made by Joseph Labuxiere in the years 1786 and 1787.

du poste des cahos et marie Louise Buteau son Epouse porteur de leur contract de mariage passé devant Senet Notaire aux Cahos le vingt huit septembre mil Sept cent Soixante Seize Portant la donnation qui suit. Et pour se donner des preuves de Laffection reciproque quils Se portent Lun et lautre ils Se Sont fait et ce font par ces presentes donnation mutuelle reciproque et a jamais irrevocable autant que donnation puisse valoir au dernier vivant d'eux de tous et uns Chacuns les Biens meubles et immeubles propres acquets et conquets que le premier mourant aura et laissera au jour et heure de Son deces pour enjouir par le dernier vivant En plaine proprieté et comme de chose luy apartenante de plain droit, cette presente donnation mutuelle Et reciproque ainsy faite pourvû toutes fois quil ny ait point denfant nez ni a naitre dud^t^ mariage car en Cas denfant ladite donnation Sera nule de plain droit ainsy convenû Et accordé. ce requerant les dits S^r^ et dame Baron insinuation de la presente donnation nous lavons insinuée et enregistree sur le present registre dinsinuation et denregistrement du greffe de ce Siege pour servir aud^t^ s^r^ dame Baron ce que de raison dont acte lesd^t^ jour et an.

Labuxiere N^tre^ gfir

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(Page 40, 1787.)

requisition de M^r^ Joseph Janez lt Commi^re^ Du 18 janvier 1787.

avis au Public

Le Soussigné Etant chargé de Prendre connoissance des abus de Nature publique qui ont êté commis ici a L'entour il est Bien mortifiié de voir que ces abus Sont Enormes et frequants mais comme la Nature de Sa Commission est telle qu'il ne peut pas pour le present les Examiner comme il le voudroit Et que dailleurs il est plus glorieux de prevenir les Crimes de peur qu'on ne les commete que de les punir aprés quils Sont commis, il avertit donc le public par ces presentes que toutes personnes ou personnes qui aprés cette date Commetra ou occasionnera quelque Ravage, ou pillage ou destruction Soit au fort de Chartre ou a lEncien

[1] Continuation of the Laurent Durocher documents to the reverse of folio 39.

Buteau, his wife, bearers of their contract of marriage passed before Senet, notary at Cahokia, the twenty-eighth of September, 1773, containing the donation which follows: And in order to give proofs of the reciprocal affection which they have one for another, they have made and make by these presents mutual, reciprocal and irrevocable donation, in so far as a donation can be valid, to the survivor of them of all and each of the goods, personal and real, inherited or acquired before or after marriage, which the first one dying shall have and leave on the day and hour of his or her decease, to be enjoyed by the survivor in full proprietorship and as a thing belonging to him or her in full right. This present mutual and reciprocal donation is so made, provided, however, that there should be no child born nor to be born of the said marriage; for in case of a child the said donation shall be null in full right as agreed and granted. The said M. and Madame Baron requiring the registration of the present donation, we have inscribed and registered it in the present record of registrations of the office of this Court that the said M. and Madame Baron may make use thereof, of which this act will testify, the said day and year. Labuxiere, Notary Clerk.

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(Page 40, 1787.)

Requisition of M. Joseph Janez, Lieut. Commissary, January 18, 1787.

Notice to the Public.

The undersigned being appointed to take cognizance of the abuses of a public nature, which have been committed here in the surrounding places, he is very mortified to see that such abuses are great and frequent; but as the nature of his commission is such that he cannot examine them as he would wish to, and since, besides, it is more glorious to prevent crimes which one fears will be committed than to punish them after they are committed, he warns the public, therefore, by these presents that all persons or person, who after this date shall commit or cause any depredation, robbery or destruction either at Fort de Chartres or at the former college of the Jesuits at Kaskaskia or at the old fort on the moun-

College des jesuites aux Caskaskias ou a lEncien fort Sur la montagne qui commande la ville ou a quelque magasin ou batiment publique ils peuvent Satendre qu'ils Seront punis tres severement puisque de la depend le Bonheur dun gouvernement qui veut etre juste et Equitable.

toutes personnes qui a en main quelque chose appartenante au public est averty de le rendre au plustost.

Le Soussigné Sestimeroit heureux Si les personnes qu'on Scait avoir demoli le vieux College des jesuites vouloient profiter de cet avis pour y remetre les materiaux quils en ont Emporté Et pour retablir les Batiments dans lEtat ou ils Etoient auparavant, dautant plus que dans peu il espere qu'on y mettra un Corp de troupes En garnison lequel aura Besoin de ces Batiments Et fera les Enquetes necessaires concernants les dites personnes Si elles negligent cette precaution. signé Joseph janes Lt. com^re^ aux Kaskakakias [*sic*] le 11 Janvier 1787.

Lû publié et affiché a la porte de L Eglise des cahos par moy joseph Labuxiere N^re^ et greffier aud^t^ lieu le 18 Janvier 1787.

Labuxiere grefier.

Du 19 fevrier 1787

Est comparû le S^r^ augustin dubuc marchand voyageur Etant de present aux Cahos a Lissue de la Cour de justice Seante En

(41, 1787.)

la Chambre du greffe Lequel aprés avoir presenté a la dite cour la requete cy aprés en a requis lenregistrement En ce dit greffe que jay transcrit Sur le registre des Enregistrement mot a mot suivant loriginal ainsy quil Suit.

a Monsieur jean B^te^ LaCroix presidant Et Messieurs Les juges de la cour du district des cahos

Messieurs

augustin dubuque marchand voyageur de montreal residant a present en ce poste faisant par procuration du S^r^ valentine jautard avocat En la dite ville a lhonneur de vous representer

[1] Janis was appointed commissioner either by the government of the revived French party after the receipt of a letter from Congress or else by George Rogers Clark, who was at this time in Vincennes. The notice is evidently directed against John Dodge, who had possession of the old fort on the bluffs and who had taken cannon and other material for fortification from the Jesuit building in the village, known as Fort Clark. See *Introduction*, p. cxxviii.

tain which commands the village or at any storehouse or public building, they may expect that they will be punished very severely, since therefrom depends tbe welfare of a government which desires to be just and equitable.

Every person who has in his possession anything belonging to the public is notified to return it as soon as possible.

The undersigned would think himself fortunate, if the persons who are known to have demolished the old college of the Jesuits would profit by this notice to bring to it the materials which they have taken therefrom and to rebuild the structures in the condition in which they were hitherto, since it is hoped that in a short time there will be stationed there in garrison a corps of troops, who will have need of these buildings; and the necessary enquiries concerning these persons will be made, if they neglect this warning. Signed at Kaskaskia, January 11, 1787, Joseph Janez, Lieut Com.

Read, published and posted on the door of the church of Cahokia by me, Joseph Labuxiere, notary and clerk of the said place January 18, 1787.[1]

Labuxiere, Clerk.

February 19, 1787.

There appeared M. Augustin Dubuque, traveling trader, at present in Cahokia, at the door of the court of justice sitting in the office of the clerk; and after having presented to the said Court the following petition, he has required the registration thereof in this said office; and I have transcribed it on the record of the registrations word for word according to the original as follows:

To M. Jean Bte. LaCroix and MM. the Judges of the Court of the District of Cahokia.

Sirs:

Augustin Dubuque, traveling trader of Montreal, resident at present in this post, and acting by power of attorney of M. Valentine Jautard, lawyer in the said city, has the honor to show you that, in virtue of the decree under date of the sixth of the month of November last, of which it has pleased you to cause him to be informed, he had believed that [he would have received justice] in accordance with the legality of the claims which the said M.

quen vertu de la Sentence quil vous a plû luy faire Signifier en date du Sixieme du mois de Novembre dernier il auroit Crû quaprés la validité des droits que a requis led^{t} s^{r} jautard Sur les Biens Cy devant appartenants aux missions Etrangeres Situés En ce village paroisse de la S^{te} famille consistant En une maison de pierre et Son terrain ainsy quune terre Et autres effets tel quil est Ennoncé par le contract de vente quen a fait en Son vivant le S^{r} jean Lagrange au S^{r} jautard par acte passé pardevant m^{r} Labuxiere Notaire Royal en datte du quatriesme juin de Lannée mil Sept cent Soixante Cinq dont led^{t} S^{r} Lagrange avoit acquis le tout de M^{r} francois forget duverger pretre et missionnaire des missions Etrangeres grand vicaire de M^{r} Leveque de quebec faisant et agissant alors au Nom de M^{r} Le Superieur des missions Etrangere de paris, par acte passé devant led^{t} M^{r} Labuxiere notaire Royal des[Illinois]le Cinquiesme de Novembre mil sept cent Soixante trois Sous le gouvernement de M^{r} de Neyon alors gouverneur de ce pays au Service de Sa majesté le Roy de france. Le supliant ne peut cacher Sa Surprise connoissant la probité des arbitres Nommés par la communauté des habitans de ce village pour donner leurs opinions Sur la validité ou linvalidité des titres cy dessus mentionnés, de voir avec quelle authorité (et Sil m'est permis Sans blesser la modestie des dits arbitres) avec quelle legerité ils ont Cassé Ennulé et mis au Neant les actes passés il y a vingt Cinq a vingt six ans par main de Notaire Royal, tems ou le pays Etoit sous la domination francaise et jouissoit dune justice Etablie Et reglée Et ou toutes personnes en place N'auroit Eu la temerité de passer ou recevoir aucun acte qui ne fut conforme aux loix Sans Encourir les risques de punition.

quil me soit permis Messieurs de vous observer quel seroit Ce droit des gens Si la Cour daujourdhuy toute respectable quelle est, Et quel pouvoir qui luy soit Confié, avoit le droit de Casser

(42, 1787.)

les actes passez sous les gouvernements francais et anglais Sous lesquels nous avons Successivement passez dans lespace dEnviron quatorze a quinze ans, quelle seroit la Sureté publique, y auroit-il

[1] For an account of the purchase by Jautard, see Thwaites, *Jesuit Relations*, lxxi., 37.

Jautard has made to the property heretofore belonging to the foreign missions situated in this village, parish of the Holy Family, and consisting of a stone house with its lot as well as a plantation and other effects, such as is described by the contract of sale, which M. Jean Lagrange during his life made thereof to M. Jautard by instrument passed before M. Labuxiere, royal notary, dated June 4, 1765, all of which the said M. Lagrange had acquired from M. François Forget Duverger, priest and missionary of the foreign missions and grand vicar of the bishop of Quebec, acting at that time in the name of M. the Superior of the foreign missions of Paris, by instrument passed before the said M. Labuxiere, royal notary of the [Illinois], on the 5th of November, 1763, under the government of M. de Neyon, at the time governor of this country in the service of His Majesty the King of France.[1] The petitioner cannot conceal his surprise, since he knows the probity of the arbitrators appointed by the community of the inhabitants of this village to give their votes on the validity or invalidity of the titles hereinabove mentioned, at seeing with what authority (and if it is permitted without wounding the modesty of the said arbitrators) with what levity they have put aside, annulled and set at naught the instruments passed twenty-five to twenty-six years ago by the hand of a royal notary, at which time the country was under the French dominion and enjoyed an established and regulated justice and when no person in office would have had the temerity to pass or receive any instrument, which did not conform to the laws, without incurring the risks of punishment.

Permit me, gentlemen, to inform you what this right of the people would be, if the Court of to-day, wholly honorable as it is, and what the power which is confided to you would be, did the right exist of setting aside the instruments passed under the French and English governments, under which we have successively passed in the space of about fourteen to fifteen years. What would be the public surety? Would there be any individual who could flatter himself with enjoying acquisitions which he has made or will leave to his descendants, without running the risk of seeing them forfeited? Would not such a power become absurd which instead

aucun particulier qui pû se flater de jouir des acquisitions quil a faites ou laissées a leurs descendans Sans courir les risques de S'En voir dechû, un tel pouvoir ne deviendroit-il pas absurde qui au lieu de veiller a la Sureté publique par le maintien des loix donneroit atteinte a les Enfreindre, le droit des gens Est un droit que toutes nations Civilizées respectent Et Se rendent reciproquement les uns aux autres, lorsque le pays fut rendû par le traité de paix aux Englais lon a vû cette nation respecter Et metre En force tout acte de justice passez Sous le gouvernement francais, comme maintenant que nous Sommes au pouvoir des Etats unis de Lamerique lon verra cette puissance maintenir dans toute Sa force toutes loix et usages existants Sous les deux gouvernements anterieurs les puissances Conquerantes ont le droit dajouter au pays qu'ils ont conquis les loix qui leurs Sont propres mais non pas de Casser celles qui regnoient precedament

Le Supliant vous represente trés respectueusement quen vertu de la procuration a lui livrée par le S^r^ valentin jautrad avocat resident a montreal pour Se nantir des Biens cy devant mentionnez quil avoit legitimement acquis de deffunt S^r^ jean Lagrange Et dont il a joui paisiblement pendant lespace denviron vingt un an Sans interuptions ni apellation de qui que ce soit il a En conce-quance Lanneé derniere fait DéCrétter La dite Mission avec les Dits Biens En presence de témoin, pendant trois Mois de Suitte a la porte de L'eglise au nom du dit Sieur Valentine Jautard Comme à lui appartenant Sans que qui que Ce Soit Se présentat pour y m'ettre Empechment, et ont été vandû Juridicquement Selon les Loix et Coutumes du païs à la porte de L'eglise, La quel vente Le Suppliant Entend quil est Lieu Sauf au Colége des Mission Etrangeres d'avoir Leurs recours Contre Leurs agent; Le Suppliant a L'honneur de vous observer Messieurs que Lorsque il a donné Sa Signature pour Se Soumettre à la Desition des Arbitres il ne Croyoit pas avoir affaire à ses propres parties puisse qu'il ce Disent ou ils sont Connu Etre de la Communauté des habitans Il ne veut pas dire par la qu'il est Crû m'al Decider mais il santient deCément que faisant corps Dans le nombre des paroissiens ils aurait Dû Ce Recuser au lieu de prendre Le ton dautorité de

of watching over the public surety through the maintenance of the laws should give a blow to break them. The right of the people is a right which all civilized nations respect and submit to reciprocally. When the country was surrendered to the English by the treaty of peace, that nation was seen to respect and put in force all acts of justice passed under the French government. Since now we are in the power of the United States, it will be seen that this power maintains in all their force the laws and usages which have existed under the two preceding governments. The conquering powers have the right to add to the country, which they have conquered, the laws which are their own; but not to annul those which were in force before.

The petitioner sets forth to you very respectfully that, in virtue of the power of attorney given him by M. Valentine Jautard, lawyer residing in Montreal, to take possession of the property hereinbefore mentioned, which he had legitimately acquired from the deceased M. Jean Lagrange and which he has enjoyed peacefully during the space of about twenty-one years without interruption or action from any one, and in consequence thereof, he last year caused to be issued in the presence of witnesses and posted, for three months together at the door of the church, a writ against the said mission and its property in the name of the said M. Valentine Jautard as belonging to him, without any one presenting himself to make objection thereto; and judicial sale was made according to the laws and customs of the country at the door of the church which sale, the petitioner understands, is allowed, reserving to the college of the foreign missions the right to have recourse against their agent. The petitioner has the honor to remark to you, gentlemen, that when he gave his signature to submit himself to the decision of the arbitrators, he did not believe that he had an affair with the interested parties. Since they say it or are known to be of the community of the inhabitants, and he does not wish to say by that it is believed the decision was unjust, but he feels that, since they were of the number of the parishioners, they ought properly to have challenged them instead of taking the tone of authority to annul and set aside authentic instruments legally passed under a

(43, 1787.)

Casser et d'anéanter des actes authentiques passer L'egalement Sous un Governement sage; Le Suppliant ne peut voir quavec Peine que Les susdits arbitres annonCent dans un passage de Leurs Sentance que Le dit Suppliant est Nantie De titres authentiques de la part du S^r^ Jautard et dans un autre ils disent quils N'en à pas suffisamant puisquil En demande d'autres ils osent Encore avancer que Le S^r^ abbé forget s'est Evadé furtivement de pais dans le tems quils scavent Le Contraire, Leurs sentence prouve que L'abbé forget a Emportér Les fonds de la Mission En france, C'est donc La Mission même qui a ôpérer dans Ce fait, puis qu'ils avoit Mis La Gestion et La Conduite Entre les mains du dit forget et que personne ne Ce soit opposer a la sortie des fonds L'orsqu'il partie du pais; dans Le Convoy de Monsieur de Neyon àlors Gouverneur du pais; Le Suppliant Doit donc Etre Certain que Le dit forget avoit tous pouvoir dans Ladministration de cette Mission et Les habitans n'en ont point Douter puisquils ont acquis de Lui, et quand même il N'auroit pas Été muny d'un pouvoir particulier, il a Été Connu membre de La Mission et Vicaire général et par consequant toutes Les ventes ou transsactions faites par lui sont pour le Compte de la dite mission, il est donc plus que Ridicule aux arbitres de prendre Le haut ton d'autorité de Casser et annuller des actes Sacrés, un tribunal de Justice Légale Les respecte partous, il ny a que Le deffaut de forme qui puisse Les annéantir, mais il est deffendu à des arbitres Den Connoitre. Ce Consideré il vous Plaise, Messieurs Declarér La dite sentence null et Randu par des Personnes inCompetentes, dire que Leur pouvoir ne s'etand pas Jusqu'a decider une affaire de Droits qui n'appartient qu'au tribunal Competent, de plus le suppliant vous prie, Messieurs, de le recevoir appelant de La susdite sentence et de Lui En Expedier acte afin qu'il puisse se pourvoir partout ou à qui le droits appartiendra, et ferez droit. Présenté par moi soussigné à la cour respective des Cahokias le 15 ^eme^ fevrier 1787 au Kahokias. signé dubuc Et a linstant ladite requete a Eté Remise aud^t^ s^r^ dubuque par moy greffier Soussigné aprés la seance de la Cour tenue par M^rs^ fr. Saucier présidant au lieu et place de s^r^ jean B^te^

well-conducted government. The petitioner can see only with pain that the arbitrators aforesaid announce in a passage of their verdict that the said petitioner is provided with authentic titles from M. Jautard and in another they say that he has not sufficient of them, since they demand others. They also dare to advance that M. Abbé Forget left the country at the time secretly, when they know the contrary. Their verdict proves that the Abbé Forget has carried the funds of the mission to France. It is then the mission itself which has acted in this deed, since they have placed the action and conduct in the hands of the said Forget and since no one has made opposition to the departure of the funds, when he set out from the country in the convoy of M. de Neyon, at that time governor of the country. The petitioner ought then to be certain that the said Forget had all power in the administration of this mission; and the inhabitants have had no doubt thereof, since they have acquired property of him; and if even he should not have been armed with a particular power, he has been known as a member of the mission and vicar-general and consequently all the sales or transactions made by him are for the account of the said mission; and it is therefore more than ridiculous for arbitrators to take the high tone of authority of annulling and setting aside sacred acts — a tribunal of civil justice would respect them everywhere. There is only the defect of form which could annul them, but it is forbidden arbitrators to take cognizance thereof. In consideration of this, gentlemen, you should decide to declare the said verdict null and rendered by persons incompetent, and to say that their power does not extend to deciding a question of law, which belongs only to a competent tribunal.

Furthermore the petitioner prays you, gentlemen, to receive his appeal from the verdict aforesaid and to expedite an act thereof in order that he can plead everywhere in regard to whom the rights belong and obtain justice. Presented by me, the undersigned, to the honorable Court of Cahokia, the 15th of February, 1787, at Cahokia. Signed, Dubuque. And now the said petition has been returned to the said M. Dubuque by me the undersigned clerk, after the sitting of the Court, held by MM. Fr. Saucier, presi-

(44, 1787.)

LaCroix—At. girardin — Louis Chatel — M saucier — Clement alary—et joseph Lapensée a qui ladite Requete a Eté presentée Et par eux apointee au bas dicelle ainsy quil suit vû par la Cour assemblée la requete cy dessus du s^r^ dubuque Ensemble la sentence rendue par les deputez arbitres Nommez par la Communauté des habitans des cahos auxquels led^t^ s^r^ dubuq a promis de sen raporter par son Ecrit En datte du sept Novembre 1786. la Cour a debouté le s^r^ dubuque de toutes ses demandes et chef dobservations mentionnés En sa requete Et a Confirmé et Confirme la sentence desdits deputez et ordonne quelle sortira son plain Et Entier Effet nonobstant tout apel. donné aux Cahos le 19 fevrier mil sept cent quatre vingt sept. signé au bas de Lapointe de ladite requete remise au s^r^ dubuque At girardin—M^t^ saucier—une +pour marque de joseph Lapensée--une+pour marque de Clement alary. une+pour marque de Louis Chatel—f^r^. Saucier presidant et le grefier soussigné

Aug. Dubuq Labuxiere

aujourdhuy premier Mars mil Sept cent quatre vingt Sept est comparû au greffe de ce siege le s^r^ augustin dubuque marchand voyageur lequel a requis Lenregistrement de la procuration cy aprés

Pardevant les notaires de la province de quebec residants a montreal Soussignez M^r^ valentin jautard avocat demeurant faubourg S^t^ joseph prés cette ville de montreal lequel a par ces presentes fait et constitué Son procureur general et special la pesonne de M^r^ augustin Dubuc Negociant voyageur actuellement En cette ville auquel il donné pouvoir de pour luy et En Son Nom aliener vendre, cedder, et transporter a qui Bon luy Semblera Et pour tel prix et Sommes que led^t^ S^r^ Contsitué jugera les terrains cy aprés dessignez Savoir, un lopin de terre Situé au village des cahokias paroisse de la S^te^ famille contenant Environ trois cent pieds de terre de front, Sur neuf cent pieds de profundeur Sur lequel Est construite une maison de pierre ainsy et dans lEtat ou elle Se trouve actuellement, plus une terre de quatre arpents de front situé anteritoire des cahos a prendre du Rigolet en pro-

dent in the place and stead of M. Jean Bte. LaCroix, Ant. Girardin, Louis Chatel, M. Saucier, Clement Alarie, and Joseph Lapancé, to whom the said petition was presented and by them referred. Below is also what follows: Seen by the assembled Court the above petition of M. Dubuque, together with the verdict of the deputed arbitrators appointed by the community of the inhabitants of Cahokia, to whom the said M. Dubuque has promised to leave the decision by his writing dated November 7, 1786. The Court has overruled all the prayers and principal observations mentioned in the petition of M. Dubuque, and has confirmed and does confirm the verdict of the said deputies, and decrees that it shall have its full and entire effect notwithstanding all appeal. Given at Cahokia February 19, 1787. Signed below the reference of the said petition returned to M. Dubuque, Ant. Girardin, Mt. Saucier, a + for the mark of Joseph Lapancé, a + for the mark of Clement Alary, a + for the mark of Louis Chatel, Fr. Saucier, president, and the undersigned clerk.

Aug. Dubuque. Labuxiere.

To-day, the first of March, 1787, there appeared at the office of this Court M. Augustin Dubuque, traveling trader, who has required the registration of the power of attorney here following:

Before the undersigned notaries of the province of Quebec, residing at Montreal, M. Valentine Jautard, lawyer living in the faubourg St. Joseph near this city of Montreal, has by these presents made and constituted his attorney, general and special, the person of M. Augustin Dubuque, traveling merchant, at present in this city, to whom he has given power to sell, alienate, cede and transfer for him and in his name, to whom it shall seem good to him and for what price and sum which the said constituted attorney shall determine, the lands hereafter designated: to wit, a piece of land situated in the village of Cahokia, parish of the Holy Family, containing about three hundred feet frontage and about nine hundred feet in depth, upon which is constructed a stone house, in whatever condition it is found at present; also a plantation of four arpents frontage situated in front of Cahokia extending in depth from the trench to the bluffs, adjoining on

(45, 1787.)

fondeur jusques aux cotes, joignant dun costé au S^r^ Clermont Et de lautre costé au Nommé dorion Suivant les designations Portées aux contracts dacquisitions que led^t^ S^r^ Constituant en a faite de feu S^r^ jean lagrange vivant Negociant aux caskakias par contract passé devant M^r^ Labuxiere Notaire en datte du quatre juin mil Sept cent Soixante Cinq dont led^t^ S^r^ lagrange avoit acquis le tout de M^rs^ francois forget duverger pretre et missionaire des missions Etrangeres grand vicaire de M^r^ Leveque de quebec faisant et agissant alors au Nom de M^r^ le Superieur des missions Etrangeres de paris par acte passé devant led^t^ M^r^ Labuxiere des [Illinois] le Cinq Novembre mil Sept cent Soixante trois, dont tous les dits titres y Enoncés ont été remis aud^t^ S^r^ Constitué pour et en vertu diceux en prendre pocession au Nom dud^t^ S^r^constituant, les vendre comme dit est au meilleur avantage que led^t^ constitué trouvera Enfin plaider apeller, obtenir jugements aux fins de deguerpissements Si personne ou personnes quelconques Sétoient a proprié les dits Biens, En un mot passer tous toutres [*sic*] de vente revetir lacquereur ou les acquereurs de toute proprieté au Nom dud^t^ Constituant Et du produit des ventes En recevoir iceux deniers et den donner quittances ou en passer tous actes au profit des acquereurs, prometant led^t^ S^r^ constituant avoir tout pour agreable ce que led^t^ S^r^ Constitué fera, donnant pouvoir de constituer un ou plusieurs procureurs Sans Besoin de ratiffication de la part dud^t^ S^r^ constituant voulant que la presente vaille jusqua revocation expresse tel laps de tems qui puisse Se couler, car ainsi prometant &c. obligeant &c voulant &c nonobstant &c. fait et passé a montreal Etude des Soussignéz lan mil Sept cent quatre vingt Cinq le dix neuf May avant midy, ces presentes delivreés En Brevet, et a mond^t^ S^r^ constituant Signé ces presentes avec les Notaires Lecture faite Suivant Lordonnance—signé v jautard—Foucher—fr. LeGuay Notaires. et plus bas est Escrit Nous René ovide hertel Ecuyer Seigneur de Rouville L'un des juges de Sa Majesté En Sa Cour des playdoyers Communs, district de Montreal province de quebec &c. &c. Certiffions a tous quil appartiendra que M^rs^ fr. LeGuay et antoine foucher qui ont Signé et delivré ces presentes

one side M. Clermont's and on the other the land of the named Dorion according to the description contained in the contracts of acquisition, which the said constituter made therefor with the late M. Jean Lagrange, during his life merchant at Kaskaskia, by contract passed before M. Labuxiere, notary, under date of June 4, 1765, all of which the said M. Lagrange had acquired from M. François Forget Duverger, priest and missionary of the foreign missions and grand vicar of the Bishop of Quebec, acting at that time in the name of M. the Superior of the foreign missions of Paris, by act passed before the said M. Labuxiere, royal notary of the [Illinois] on November 5, 1763. All the said title deeds here mentioned have been delivered to the constituted attorney that he may by virtue thereof take possession in the name of the said constituter, and sell them, as said, to the best advantage, that the said constituted attorney shall find; finally that he may plead, appeal and obtain judgments for the purpose of ejectments, if any person or persons, whatever, has appropriated the said property, in a word to make all contracts of sale and to invest the purchaser or purchasers with full property rights in the name of the said constituter and to receive the money from the product of the sales and to give receipts therefor or to pass all acts to the profit of the purchasers; the said constituter promises to sanction all which the said constituted attorney shall do; and gives him power to constitute one or more attorneys without the need of ratification on the part of the said constituter; and he wishes that the present be valid until express revocation without regard to the time which may elapse; for thus promising etc. binding, etc. willing, etc. notwithstanding etc. Made and passed at Montreal in the office of the undersigned, the year 1785, the nineteenth of May before noon. These presents were delivered in brevet and the said M. constituter signed these presents with the notaries, after reading was made according to the ordinance. Signed, V. Jautard, Foucher, Fr. Le Guay, notaries. And below is written — We, René Ovide Hertel Esquire, Seigneur de Rouville, one of judges of His Majesty in his Court of Common Pleas, district of Montreal, province of Quebec etc. etc. certify to all whom it may concern that MM. Le Guay and Antoine Foucher,

(46, 1787.)

Sont notaires En cette province que foy doit etre ajoutée aux actes quils passent tant en jugements que hors Certifions En outre que le papier timbré nest point En usage dans cette dite province En foy de quoy nous avons signé ces presentes et a icelles aposé le seau de nos armes ordinaires donné a Montreal En notre hotel le 19 May 1785 signé hertel de Rouville

Et plus Bas est Ecrit. je Soussigné augustin dubuque je transporte la presente procuration a M^r^ jean dumoulin Negociant pour lexercer Et la faire valoir En tous son contenu, de meme et ainsy que jaurois pû faire le metant et transmetant En mon lieu Et place aux Cahos le dix sept Novembre mil sept cent quatre vingt Cinq. signé A. Dubuc.

Et a linstant ladite procuration a Eté delivrée par moy greffier soussigné aud^t^ s^r^ augustin Dubuc lesd^t^ jour Et an.

Aug, Dubuque Labuxiere

aujourdhuy vingt quatre avril mil sept Cent quatre vingt Sept est comparû au greffe de la jurisdiction des Cahos aux ilinois M^r^ huges huvard porteur des pieces Suivantes lequel En a requis Lenregistrement Suivant Et transcrit sur le present registres lui meme atendu que le greffier nentend pas la langue anglaise ainsy quil Suit

Know all men by these presents that I John Askin of Detroit Merchant have made ordain'd Constituted & appointed & by these presents do make ordain constitute & appoint in my place & stead put & depute M^r^ Hugh Heward of Detroit aforesaid my true & lawful attorney for me & in my Name & for my Use to ask Demand recover & receive of & from any person or persons indebted to me or any of my former Copartnerships.— giving & granting to my said attorney my sole & full power & authority to take pursue & follow such legal Courses for the Recovery receiving & obtaining of the same as I myself might or could do were I personally present & upon receipt of the same Acquittances &

(47, 1787)

other sufficient Discharges for me & in my Name to sign Seal & deliver as also one or more Attorney or Attornies under him to

who have signed and delivered these presents, are notaries in this province and that faith should be given to instruments which they draw up as well in judgments as elsewhere. We certify, furthermore, that the stamped paper is not in use in this province. In faith of which we have signed these presents and have thereon placed the seal of our customary coat of arms. Given at Montreal in our mansion, May 19, 1785. Signed, Hertel de Rouville.

And below is written: I, the undersigned Augustin Dubuque, transfer the present power of attorney to M. Jean Dumoulin, merchant, to carry out and put into effect in all its contents even as I could have done, using and transmitting it in my place. At Cahokia November 17, 1785. Signed A. Dubuque.

And now the said power of attorney has been delivered by me, the undersigned notary, to the said M. Dubuque the said day and year.

Aug. Dubuque Labuxiere.

To-day, the twenty-fourth of April, 1787, there appeared at the office of the jurisdiction of Cahokia in the Illinois M. Hugh Heward, bearer of the following documents and he has required the registry thereof and has transcribed them in the present register himself, since the clerk does not understand the English language, as follows:

1st piece.

Know all men by these presents that I, John Askins of Detroit, merchant, have made, ordained, constituted and appointed and by these presents do make, ordain, constitute and appoint and in my place and stead put and depute Mr. Hugh Heward of Detroit aforesaid my true and lawful attorney for me and in my name and for my use to ask, demand, recover and receive of and from any person or persons indebted to me or any of my former co-partners; giving and granting to my said attorney my sole and full power and authority to take, pursue and follow such legal courses for the recovery, receiving and obtaining of the same as I myself might or could do, were I personally present; and upon receipt of the same, acquittances and other sufficient discharges for me and in my name to sign, seal and deliver; as also one or more

substitute or appoint & again at his pleasure to revoke & further to do & perform & execute for me & in my Name all singular Thing or Things which shall or may be necessary touching & concerning the premises as fully & entirely as I the said John Askin ought or could do in & about the same or as if more especial authority was required than is herein given — ratifying allowing & confirming whatever my said Attorney shall lawfully do or cause to be done in & about the Premises by virtue of these presents.

In witness whereof I have hereunto set my Hand & Seal the fifteenth Day of November in the year One Thousand Seven Hundred & Eighty Six.

(signed) John Askin

Signed Sealed & delivered in presence of

John McCaslan Witness — Et a linstant Loriginal
William Park — Remis a Mr hugues huvard
Hugh Heward — Labuxiere

2nd.

Know all men by these presents that we John Askin George Leith & Angus Mackintosh of Detroit & Directors of the Miamis Company for ourselves & in behalf of the said Company have made ordain'd Constituted & appointed & by these Presents do make ordain constitute & appoint & in our place & Stead put & depute Mr Hugh Heward of Detroit aforesaid our true & lawful Attorney for us & in behalf of the said Company in our names & for our use to Demand recover or receive of & from any person or persons indebted to the said Company

(48, 1787)

Giving & granting to our said Attorney our sole & full power & authority to take pursue & follow such legal Courses for the Recovery receiving & obtaining of the same as we ourselves might or could do were we personally present. And upon the Receipt of the same Acquittances & other sufficient Discharges for us & in our Names to sign Seal & deliver as also one or more Attorney or Attornies under him to substitute or appoint & again at his pleasure to revoke; & further to do & perform & execute for us

attorney or attorneys under him to substitute or appoint and again at his pleasure to revoke; and further to do and perform and execute for me and in my name all singular thing or things which shall or may be necessary touching and concerning the premises as fully and entirely as I, the said John Askin, ought or could do in and about the same or as if more special authority was required than is herein given; ratifying, allowing and confirming whatever my said attorney shall lawfully do or cause to be done in and about the premises by virtue of these presents.

In witness whereof I have hereunto set my hand and seal, this fifteenth day of November, in the year one thousand seven hundred and eighty-six. Signed John Askin.

Signed, sealed and delivered in the presence of John McCaslan, witness William Park.

And now the original was returned to M. Hugh Heward.

Hugh Heward. Labuxiere.

2nd.

Know all men by these presents that we, John Askin, George Leith and Angus Mackintosh of Detroit and directors of the Miamis Company, for ourselves and in behalf of the said company have made, ordained, constituted and appointed and by these presents do make, ordain, constitute and appoint, and in our place and stead put and depute Mr. Hugh Heward of Detroit, aforesaid, our true and lawful attorney for us and in behalf of the said company, in our names and for our use, to ask, demand, recover or receive of and from any person or persons indebted to the said company; giving and granting to our said attorney our sole and full power and authority to take, pursue and follow such legal courses for the recovery, receiving and obtaining of the same as we ourselves might or could do, were we personally present; and upon receipt of the same, acquittances and other sufficient discharges for us and in our names to sign, seal and deliver; as also one or more attorneys under him to substitute or appoint and again at his pleasure to revoke; and further to do and perform and execute for us and in our names all singular thing or things which shall or may be necessary, touching or

constitute the gist of the controversy. The contest has begun with every commendable exhibition of courtesy between the rivals. In point of oratorical ability there is no comparison between them. Judge Douglas' speech is graceful, compact and easy. Mr. Lincoln's inelegant, discursive and laborious. We can hardly conceive of the latter producing much popular impression, even with the truth; while the former might render even sophistry agreeable to a not unwilling crowd.

[*Cincinnati Gazette*, August 11, 1858]

DOUGLAS PLAYING DOUBLE

The *Chicago Tribune* alleges that, in certain quarters, Douglas breaks down on so much of the Dred Scott decision as conflicts with Squatter Sovereignty; alleging further that all the points settled by the Supreme Court, beyond the fact of the non-citizenship of negroes, are of no authority, being *obiter dicta*. He cannot avoid the glaring inconsistency of maintaining the validity of the whole decision, and yet asserting his "popular sovereighty" dogma. One or the other must go to the wall . . . . . he finds that he [Lincoln] is pressing home on him with terrible effect the plain truth that Judge Taney, whom he has hitherto unqualifiedly endorsed, has completely strangled his own popular sovereignty bantling.

[*The Commonwealth*, Frankfort, Kentucky, August 24, 1858]

THE CANVASS IN ILLINOIS

Whether viewed in reference to its political result upon the country at large, or in reference to the ability displayed by the respective candidates, the canvass now going on in Illinois between Judge Douglas and Hon. Abram Lincoln for the U. S. Senate is *the* canvass of the year 1858. Lincoln is the Black Republican candidate, while Douglas is the candidate of the anti-Lecompton Democracy. The Buchanan Lecompton Democracy do not constitute more than a corporal's guard in Illinois, yet because the "Little Giant" dared, during the last session of Congress, to follow the dictates of his conscience—because he boldly and bitterly denounced the Kansas policy of Mr. Buchanan as a fraud upon the constitutional rights of the people of that Territory, and in violation of the fundamental principles of American freedom, the president, with his army of officeholders in Illinois, seemed determined to defeat him, if possible, even though that de-

feat will result in the election of a rampant Black Republican to the U. S. Senate. It is openly declared by some of Buchanan's minions in Illinois that they are willing to pursue any course and vote in any way which will enable Lincoln to beat Douglas. The Lecompton organs of Kentucky seem to be perfectly unconcerned about the result, and many of them continue to pour out their abuse upon Douglas, and are aiding and abetting the Black Republican Lincoln.

[*Cincinnati Commercial*, August 25, 1858]

MEETING OF DOUGLAS AND LINCOLN AT OTTAWA

The first regular debate between Douglas and Lincoln in the course of the Illinois canvass took place on Saturday last at Ottawa.—About twelve thousand persons were present. Of course each party claimed decided victory. Lincoln personally had the advantage of Douglas in preserving his temper. But the Lincoln organs are more radically out of good humor than Douglas himself. Douglas said that when he was a school teacher, Lincoln was a grocery keeper. Lincoln, however, said that he never kept a grocery, but did once give his attention to a still house up at the head of a hollow. To the surprise of the spectators the honorable gentlemen got along without calling each other liars and getting into a scratch fight on the stand, but Douglas did nod his head when Lincoln asked him if he made a question of veracity between them.

The enemies of Senator Douglas are multiplying. Senator Trumbull has joined Lincoln in preaching a crusade against him. The Washington *Union* pursues him with extraordinary constancy of hate. Frank P. Blair and B. Gratz Brown, of St. Louis, have invaded Egypt to heap up the agony upon him, and to complete the circle of fire, the Louisville *Journal*, whose advice has been asked by the K. N.'s of Illinois, tells them to go for Lincoln, because Douglas had a few pleasant words to say to the Germans at Chicago the other day. Such a combination to crush out a single man has rarely been witnessed.

[*The Union*, Washington, D. C., August 26, 1858]

DOUGLAS AND LINCOLN AT OTTAWA

The Chicago papers come to us filled with the reports of the speeches of Senator Douglas and would-be-senator Lincoln, at the great meeting at Ottawa on the 21st inst. By an arrangement previously made, these representatives of their respective parties had agreed to hold

il apartiendra me reservant En ce Cas de faire mes poursuites pour et au profit de la Sucession contre qui javiseroy Bon Etre. cy joint la lettre original a nous Ecritte au sujet par M^r^ Cruzat.

Si jay differe a la faire transferer icy Le mauvais tems et les glaces En son Causes Et Sur ce que vous maviez dit que vous Lenveriez par une ocasion sure.

jay lhonneur detre M^r^ Votre serviteur signé Labuxiere le 10 mars 1788 a M^r^ Pratte Neg^t^ a S^te^ genevieve.

Lettre de M^r^ Cruzat Ecritte a M^r^ saucier presidant de La Cour.

Mousieur

En concequance de la lettre que vous mavez Ecritte hier jay passé a M^r^ Prate a S^te^ genevieve lordre de tenir a la disposition de votre Cour Et de livrer a Sa demande la negresse qui est Ches luy app^te^ a la sucession du feu aug^tin^ dubuque persuadé que je suis que les Creanciers de cette Rive suivront dans cette Succession les meme droits que les Creanciers qui sont sur la votre. jay lhonneur dEtre tres parfaitment M^r^ votre &c. &c. signé francois Cruzat S^t^ Louis le 14 9^bre^ 1787 a M^r^ f^r^ saucier Magistrat aux Cahos.

(50, 1788.)

Testament de james moore

aujourdhuy premier Septembre mil Sept cent quatre vingt huit est comparû le S^r^ dorciere faisant pour et au Nom du S^r^ Gabriel Ceré absent porteur du testament de james moore Lequel nous en a pour et au nom dud^t^ S^r^ Ceré Requis Lenregistrement ainsi quil Suit.

AU NOM DE DIEU AMEN moi James Moore de la Bellefontaine du pays des ilinois Etant en parfaite Santé de Corp desprit et de memoire je rend grace a dieu de rapeller a la memoire la mortalité de mon corp Et Sachant que le Sort de tout homme est de mourir une fois je fais ordonne et constitue ce present mon testament et derniere intention cest a dire principalement et la premiere chose de toute je donne et recommande mon ame entre les

[1] See decree of Court in this case, where the Spanish creditors were not given the same rights. *Supra*, p. 313.

the risk, peril and fortune of him whom it shall concern, reserving to myself, in that case, to make my suit for and to the profit of the estate against whom I shall think it to be right. Joined herewith is the original letter written us on the subject by M. Cruzat.

If I have deferred having her transferred, the bad weather and the ice are the causes thereof and also because you said that you would send her at the first safe opportunity.

I have the honor, sir, of being your servant. Signed Labuxiere, March 10, 1788. To M. Pratte, Merchant at Ste. Genevieve.

Letter of M. Cruzat written to M. Saucier, President of the Court.

In consequence of the letter that you have written me yesterday, I have given to M. Pratte at Ste. Genevieve order to hold at the disposition of your Court and to deliver on its demand the negress which is at his house belonging to the estate of the late Augustin Dubuque, since I am persuaded that the creditors of this bank will enjoy the same rights in this estate as the creditors who are on your bank etc.[1] Signed François Cruzat, St. Louis, November 14, 1787. To François Saucier, Magistrate at Cahokia.

Testament of James Moore.

To-day the first of September, 1788, there appeared M. Dorsiere, acting for and in the name of M. Gabriel Cerré, absent, bearer of the testament of James Moore, and he has, for and in the name of the said M. Cerré, required the registry thereof, as follows:

In the name of God, amen, I, James Moore of Bellefontaine of the country of the Illinois, being in perfect health of body, soul and memory, render thanks to God for recalling to memory the mortality of my body; and knowing that the lot of every man is to die once, I make, ordain and constitute this present my last will and testament: that is to say, firstly and the first of all I give and recommend my soul into the hands of Almighty God who gave it and I recommend my body to the earth to be interred in Christian burial and the funeral to the direction of my testamentary executors, that at the general resurrection I may receive it

mains de dieu tout puissant qui la donna Et je recommande mon corp a la terre pour etre Enterré dans la descence Chrétienne les funerailles a la direction de mes executeurs testamentaires qu'a la resurrection generale je ne le recoive Encore par le pouvoir Supreme de dieu Et quand aux biens terestres quil a plu a dieu de me donner dans cette vie je donne me demet et dispose desdits Biens de la maniere et forme Suivante.

Premierement je donne et legue a catherine Moore ma femme Bien aimé le tier de tous mes Biens tant meubles qu'immeubles aprés que mes debtes Seront tous legitement payées cest mon intention que je veux qu'on execute pendant Son veuvage quant aux Negres Bingo et judik cest mon intention quils retournent a M[r] Tobias Barshares Si il veut les reprendre Et Sen rendre responsable a la Sucession de jean allison Si non les dits negres Seront vendus a lEncan ou vendûs particulierement Si les Executeurs testamentaires le jugent plus Convenables et leur pris assuré a lusage de la Sucession de feu jean allison: tant qua toutes les terres que je possede actuelement cest mon intention quelles Soient Egalement devisée Entre mes Cinq fils, Excepté que mon fils William aura deux parts. les terres defrichées Seront partagées aussi Bien que les terres En Bois Et En pagées a la discretion des executeurs Si aprés mentionnés. je donne Egalement a Mon fils William le Cheval apellé Pasbai, Et un livre apellé ou intituté trajedies de tivay Et le premier volume du Spectateur, Et a mon fils jean le compagnon du jeune homme. et pour mon fils james les oeuvres dabraham courley Et a Henoch le Septieme volume du Spectateur Et a Milton le paradis perdû de *milton* Et les oeuvres de M[r] Sauvage intitulé le vagabond; Et a ma fille marie le premier volume des oeuvres de Shakespear, avec une partie Egale de tous mes Biens meubles. et tous le restant de livres Sera Egalement partagé Entre tous, Et mon fils Wiliam aura mon violon. jordonne Et constitué pareillement Gabriel Cerré Shadrick Bonde Et Thomas Biggs d'Etre mes Executeurs de ce present testament Et mes dernieres volontés. a qui je recommande de

[1] It would have been a simple matter for the French clerk to have read for *d'otway* the *de tivay* of the text. Courley is certainly Cowley.

again by the supreme power of God; and as to the temporal goods, which it has pleased God to give me in this life, I give, devise and dispose of the said goods in the manner and form following:

Firstly, I give and bequeath to Catherine Moore, my well beloved wife, the third of all my property both personal and real, after my debts shall be all legitimately paid; it is my intent which I wish to be executed during her widowhood. As to the negroes Bingo and Judik, it is my intent that they return to M. Tobias Barshares, if he is willing to take them back and to hold himself responsible therefor to the estate of John Allison; if not, the said negroes shall be sold at auction or sold at private sale, if the testamentary executors judge it best, and their price assured to the use of the estate of the late John Allison; as to all the lands, which I possess at the present time, it is my intent that they be equally divided between my sons except that my son, William, shall have two parts. The cleared lands shall be divided as well as those in woods and in farm-yard at the discretion of the executors hereafter mentioned. I give equally to my son, William, the horse called Pasbai and a book called or entitled "Tragedies of Otway"[1] and the first volume of the "Spectator"; and to my son, John, "The Companion of the Young Man"; and to my son, James, the works of Abraham Cowley; and to Henoch, the seventh volume of the "Spectator"; and to Milton, "The Paradise Lost" of Milton and the works of M. Savage entitled "The Vagabond"; and to my daughter Mary, the first volume of the works of Shakespeare with an equal part of all my personal goods; and all the remaining books shall be equally divided among all; my son, William, shall have my violin. I ordain and constitute likewise Gabriel Cerré, Shadrach Bond and Thomas Biggs to be my executors of this present last will and testament, to whom I recommend that they leave all my property in the hands of my wife during her widowhood until the boys are of age; and that at that time each of them, as they come of age, withdraw his share; but if there appears to the testamentary executors that there is the least appearance of waste in the property, it is my intent that

laisser tous les Biens entre les mains de ma femme pendant Son veuvage jusqua ce que les garçons Soient en age et pour lors chacun d'eux a mesure quils viendront En age tireront leur part mais S'il paroit aux Executeurs testementaires qu'il y ait la moindre aparance de degat dans les Biens. cest mon intention quil le prenne entre leurs mains et le place au plus avantageux pour le Benefice des Enfans Et par le present je desaprouve, revoque et Ennule tous les autres testaments anterieurs a celui ci ainsi que les Executeurs par moi nommés ci devant dans mes precedants legs et intentions, je rattifie Et confirme ce present, et aucun autre pour etre mon testament et mes dernieres intentions, En concequance de quoy jy ay posé ma Signature Et mon cachet ce trente unieme jour de May, Lan de notre Seigneur mil Sept cent quatre vingt sept signé James Moore } son cachet { signé Cacheté Lû prononcé et declaré par led^t^ James moore comme Son testament Et Ses dernieres intentions en presence de nous qui en sa presence Et en presence de chacun de Nous avons Signé nos Noms ci dessous Signé Michel Huff—John Slaughter + Sa marque — frs. Clark — et plus Bas est Ecrit je certiffie la presente traduction Conforme a la original Signé L Dorsiere

Enregistré conforme a la traduction par moy N^re^ Publique Soussigué.

Labuxiere N^re^ P.

aujourdhuy troisieme jour de Septembre mil Sept cent quatre vingt huit est comparû au greffe et Notaria du poste des cahos aux ilinois le S^r^ jean B^te^ Dumay habitant dud^t^ lieu porteur de Son contract de mariage avec felicité Peltier Son Epouze passé devant M^r^ Labuxiere N^re^ aud^t^ lieu des cahos En datte du dix^e^ jour de juin mil Sept cent quatre vingt Six par lequel il apert la donnation que led^t^ Comparant a fait de tous Ses Biens meubles Et immeubles quil laissera au jour Et heure de Son trepas a ladite felicité Peltier. la dite donnation portée Sur Son Contract de mariage contenant ce qui Suit. Et ledit futur Epoux pour donner des preuves dune veritable affection a ladite future Epouse et luy marquer qu'il veut Bien Servir d'un veritable pere a Ses Enfans ayant accepté leur tutelle p^r^ veiller a leurs interest et les aider de

they take it in their hands and place it to the best advantage for the interest of the children. And by the present I disapprove, revoke and annul all other testaments previous to this as well as the executors named by me herebefore in my previous wills and testaments. I ratify and confirm this present and no other to be my last will and testament; in consequence of which I have set thereon my signature and my seal, this thirty-first day of May in the year of our Lord 1787. Signed James Moore { his / seal } Signed, sealed, read, pronounced and declared by the said James Moore to be his last will and testament in his presence and in the presence of us, who, in his presence and in the presence of each of us, have signed our names hereunder. Signed Michel Huff, John Slaughter + his mark, Francis Clark. And below is written, I certify that the present translation conforms to the original. Signed, L. Dorsiere.

Registered, according to the translation, by me, the undersigned notary public.

Labuxiere, N. P.

To-day, the third day of September, 1788, there appeared at the office and notariat of the post of Cahokia in the Illinois, M. Jean Bte. Dumay, inhabitant of the said place, bearer of his contract of marriage with Felicité Pelletier, his wife, passed before M. Labuxiere, notary, in the said place of Cahokia under date of the tenth day of June, 1786, in which there appears the donation which the said appearer has made of all his property, personal and real, which he shall leave on the day and hour of his death, to the said Felicité Pelletier. The said donation is contained in his contract of marriage and is as follows: And the said future husband, in order to give proofs of a veritable affection to the said future wife and to show her that he wishes to serve as a true father to her children, the guardianship of whom he has accepted, to watch over

Ses avis Et conseil Et marquer a la future Epouse une veritable amitié, il luy a fait a Elle Seule donnation pure Simple Entre vif Et a jamais irrevocable En la meilleure forme que donnation puisse valoir de tous les Biens meubles et immeubles quil laissera au jour et heure de Son trepas En cas quil decedde Sans Enfans avant la dite future epouse Et meme de ladite somme de dix mille Sept cent quatre livres portée En Linvantaire dud^{t} dumay pour en jouir disposer et apartenir a ladite future Epouse Sans retour comme de Chose a Elle apartenante de plain luy en donnant toute proprieté Sans que personne y puisse pretendre aucunne Chose, comme un bien quil a acquis et gagné par ces penibles travaux dont ladite future Epouse Sera libre de disposer a sa mort En faveur de qui Bon lui semblera Sans que les Enfans dud^{t} picart Son premier mary Et dElle puisse pretendre aucunne chose que ce quelle voudra Bien leur donner cette presente donnation ainsi faite toutes fois au Cas quil ny ait aucunes enfans vivants nez ni a naitre dud^{t} futur mariage dud^{t} dumay et de ladite future Epouse car au cas dEnfant ladite donnation Sera nule de plain droit et Sans difficulté &c. Ce requerant led^{t} jean B^{te} dumay insinuation de la dite donnation, Nous lavons insinué et enregistré Sur les registres de cette jurisdiction aprés en avoir fait lecture, pour servir Et valoir ce que de raison a la dite felictié peltier. et a ledit dumay fait sa marque ord^{re} ne sachant signer lesd^{t} jour et an

marque + de jean B^{te} dumay — Labuxiere

aujourdhuy vingt quatre mars mil sept Cent quatre vingt neuf est comparu jean marie dorion tuteur de la mineure lamarche demeurant aux Cahos lequel nous a requis lenregistrement du billet cy aprés.

Je Joseph Robidoub Soussigné declare devoir Et promet payer dans le courant du mois doctobre de lannée mil sept cent quatre vingt dix a lordre de M^{r} jean marie dorion la Somme de sept Cent piastres En Bon courant ou la valeur en pelterie de

their interests and to aid them with his counsel, and to show the future wife a true affection, has made to her alone a true and simple donation *inter vivos* and irrevocable, in the best form that donation can be made valid, of all the personal and real property which he shall leave on the day and hour of his death, in case that he dies without children before the said future wife, and also of the said sum of ten thousand seven hundred *livres* contained in the inventory of the said Dumay, to enjoy, dispose of and to belong to the said future wife without requital as a thing belonging to her, and he gives it to her in full proprietorship so that no person can make any pretense thereto, as it is property which he has acquired by his labor, of which the said future wife shall be free to dispose at her death in favour of whom it seems best to her, and so that the children of the said Picart, her first husband, and of herself can make claim to nothing except what she shall be willing to give them. This present donation is so made, however, in case only that there are no living children born or to be born of the said future marriage of the said Dumay and the said future wife. In case of a child the said donation shall be null in full right and without difficulty etc. The said Jean Bte. Dumay requiring the registration of the said donation, we have inscribed and registered it on the records of this magistracy, after having made a reading thereof, that it may be of use and validity to the said Felicité Pelletier, of which this act will testify. And the said Dumay has made his mark, not knowing how to sign, the said day and year.

Mark + of Labuxiere.
Jean Bte. Dumay.

To-day, the twenty-fourth of March, 1789, there appeared Jean Marie Dorion, guardian of the minors Lamarche, dwelling at Cahokia, who has required of us the registration of the following note:

I, the undersigned Joseph Robidou, declare that I owe and promise to pay in the course of the month of October of the year, 1790, to the order of M. Jean Marie Dorion the sum of seven hundred *piastres* in current *bons*, or the value in peltries of receipt at

(52, 1789.)

Recette au prix Courant de Lecheance pour un Negre quil ma vendue Nommé Minan agé dEnviron trente Cinq ans provenant de la Sucession de feu Buet Et pour plus grande Sureté du S^{r} dorion. je Soussigné auguste Chouteaud me rend garant Et caution de la Susdite Somme de Sept cent piastres Et m'oblige la payer comme En faisant ma propre affaire Et debte comme principal debiteur a S^{t} Louis le vingt Mars mil Sept cent quatre vingt neuf. signé J H Roubidoub. p^{r}. caution aug^{te} Chouteau. 700 Piastres.

Et a linstant remis led^{t} Billet En original aud^{t} S^{r} jean marie dorion qui a declaré ne savoir signer et a fait sa marque ord^{re}.

marque de + Jean Marie dorion Labuxiere greffier

W Arundel temoin

Know All Men by these presents that we Edward William Gray Esquire William Goodall, John Lilly, Peter Bouthiellier, and Robert Cruickshanks merchants executers of the last will and Testiment of William Kay late of Montreal in the district of Montreal, in the Province of Quebec merchant deceas'd Have made Ordained, authorized, constituted and appointed and by these presents DO make Ordain, authorize, constitute and appoint Josiah Bleakley late of michelimakinac, but now of Montreal aforesaid merchant, Our true and Lawful attorney, for us, and in our name or (otherwise) and to and for our use as Executors as aforesaid, to ask demand sue for recover and receive of and from all and every person or persons whatsoever whom it doth, shall or may concern, and particularly of and from David McCrai, David McCrai and Co, Pierre antoine Tabeau, Jean Baptiste morelle, James Aaron Holt, and Charles Gratiot at michelmakinac or elsewhere in the upper Country, all such sum and Sums of money Debts Dues and Demands whatsoever, as are due, owing payable or belonging to the said William Kay at the time of his Decease, and now are or hereafter may become due, owing, payable or belonging to as the Executors of his said last Will and Testament, for or by reason of any cause, matter or thing whatsoever and to compound and agree to take less than the whole for

the current price at maturity, for a negro, which he has sold me, named Minan, aged about thirty-five years, coming from the estate of the late Buyat; and for greater security of M. Dorion, I, the undersigned Auguste Chouteau, hold myself as guarantor and surety of the aforesaid sum of seven hundred *piastres* and pledge myself to pay it as if it was my own business and debt as principal debtor. At St. Louis, the twentieth of March, 1789. Signed, J. H. Robidou. For surety, Auguste Chouteau, 700 *piastres*.

And now the said note in original was returned to the said M. Jean Marie Dorion, who has declared that he did not know how to sign and has made his mark.

Mark of + Jean Marie Dorion. Labuxiere, Clerk.

W. Arundel, witness.

Know all men by these presents that we, Edward William Gray Esquire, William Goodall, John Lilly, Peter Bouthiellier and Robert Cruickshanks, merchants, executors of the last will and testament of William Kay, late of Montreal in the district of Montreal in the province of Quebec, merchant deceased, have made, ordained, authorized, constituted and appointed and by these presents do make, ordain, authorize, constitute and appoint Josiah Bleakley, late of Michillimakinac but now of Montreal aforesaid, merchant, our true and lawful attorney, for us and in our name or (otherwise) and to and for our use, as executors as aforesaid, to ask, demand, sue for, recover and receive of and from all and every person of persons whatsoever whom it doth, shall or may concern, and particularly of and from David McCrae, David McCrae and Co, Pierre Antoine Tabeau, Jean Baptiste Morelle; James Aaron Holt and Charles Gratiot at Michillimakinac or elsewhere in the upper country, all such sum and sums of money, debts, dues and demands whatsoever, as are due, owing, payable or belonging to the said William Kay at the time of his decease, and now are or herafter may become due, owing, payable or belonging to as the executors of his said last will and testament, for or by reason of any cause, matter or thing whatsoever and to compound and agree to take less than the whole for all or any of

all or any of the debts or Demands aforesaid, where the whole in all appearance cannot be got, And upon payment, recovery or receipt thereof or of any part or parts thereof, Acquittances, or other Good and sufficient discharges in the Law for the same, for us and in our names as Executors as aforesaid accordingly to make, Seal and deliver, and Generally to do, transact, manage and perform all other matters and things any wise relating to the premises in such manner as to our said attorney shall appear most advisable and Expedient as fully amply and effectually in all respects as if the most special powers were to our Said Attorney for the purposes aforesaid by us given, or as we ourselves might or could do personally, AND an Attorney or Attornies under him for the purposes aforesaid, with the like or more limited powers, to make and at his pleasure to revoke.

HEREBY allowing ratifying and confirming all and whatsoever our said Attorney or his Substitute or Substitutes shall Lawfully do or cause to be done in or about the Premises by Virtue of these Presents IN WITNESS whereof we have hereunto sett our hands & Seals the twenty fifth day of April in the Year of Our Lord One thousand Seven Hundred & Eighty Eight.

Signed Seal'd and	Edw^{d} Wm Gray	[LS]
deliver'd in the presence of	W Goodall	[LS]
J^{n} Bouthillier	John Lilly	[LS]
Sam^{l} Genard	P Bouthillier	[LS]
	R Cruickshank	[LS]

Lequel Enregistrement a Eté fait a la requisition du M^{r} Charles Grassiot conforme a loriginal Et transcrit par me jean dumoulin Neg^{t} au deffaud par moy N^{re} d'Entendre la langue Englaise aux Cahos le 28 8^{bre} 1788

Ch Gratiot
J^{n} Dumoulin
Josiah Bleakley

the debts or demands aforesaid, where the whole in all appearance cannot be got; and upon payment, recovery or receipt thereof or of any part or parts thereof, acquittances or other good and sufficient discharges in the law for the same, for us and in our names as executors as aforesaid, accordingly to make, seal and deliver and generally to do, transact, manage and perform all other matters and things anywise relating to the premises in such manner as to our said attorney shall appear most advisable and expedient as fully, amply and effectually in all respects as if the most special powers were to our said attorney for the purposes aforesaid by us given, or as we ourselves might or could do personally; and an attorney or attorneys under him for the purposes aforesaid, with the like or more limited powers, to make and at his pleasure to revoke.

Hereby allowing, ratifying and confirming all and whatsoever our said attorney, or his substitute or substitutes shall lawfully do or cause to be done in or about the premises by virtue of these presents. In witness whereof we have hereunto set our hands and seals the twenty-fifth day of April in the year of the Lord, one thousand seven hundred and eighty-eight.

Signed, sealed and	Edw. Wm. Gray	[LS]
delivered in the presence of	Wm. Goodell	[LS]
Jn. Bouthiellier	Jonne Lilly	[LS]
Samuel Genard.	P. Bouthiellier	[LS]
	R. Cruickshank	[LS]

This registry was made on the requisition of M. Charles Gratiot and conforms to the original and was transcribed by me, Jean Dumoulin, merchant, in default of a knowledge of the English language by me, notary, at Cahokia, October 28, 1788.

Ch. Gratiot.
Jean Dumoulin.
Josiah Bleakley.

CAHOKIA DOCUMENTS.

French

GRATIOT TO G. R. CLARK, FEBRUARY 3, 1779.

Monsieur

Je suis au desespoir que mes affaires icy soyent dans le cas de me priver de me joindre avec nos jeunes gens, pour vous prouver le desir que j'aurois en toute occasion de vous témoigner mon attachem[t] et mon Zêle en tout ce qui vous regarde, et vous assurer en même tems de l'affection que vous vous ete sy dignement acquise de tous les citoyens de ce Village, dont je me flatte que dans toute les occasions vous les verrés Zêlé et devoué entièrement a tout ce qui conserne les Interest de la Cause dont vous etes le deffenseur dans ce pays. Pour ce qui me regarde, comme je suis dans la triste Necessité de rester, cy je puis vous etre icy de quelques utilité, j'espere que vous n'epargnerés pas dans auqu'une occasion celui qui est pour la vie

Votre trés humble & Devoué
Serviteur Ch Gratiot

N B: Mes respect s'il vous plait le Cap[n] Bowman et tous vos officers vous obligere infiniment C G[t].

Aux Cahos le 3[d] Fevrier 1779

[*On the reverse*] Jespere qu'au Retour de votre Campagne nous aurons le plaisir de vous voir en notre Village, et que vous viendrés avec vos Messieurs nous aider a boire Notre Vin, dont je crains bien que cy vous tardis longtems il ne Surisse de telle maniere quil n'y ast plus moyen den boire.

[1] The following documents come from several archives. This collection does not contain all the stray papers from Cahokia of the period, but it does contain all the important known documents, hitherto unprinted. Several documents from the *Dr.* MSS. were published by F. J. Turner in *Amer. Hist. Rev.*, viii., 491 *et seq.* Other papers have been printed by M. I. J. Griffin in *Amer. Cath. Hist Researches, New Series*, ii., 3. The classification into French and English documents was necessitated by the composition of the book.

CAHOKIA DOCUMENTS.[1]

FRENCH.

GRATIOT TO G. R. CLARK, FEBRUARY 3, 1779.[2]

Sir:

I am in despair because my affairs here are in such condition that they prevent me from joining with our young men, in order to prove to you the desire which I have of testifying to you on every occasion my attachment and zeal in all that concerns you, and to assure you at the same time of the affection, which you have so worthily earned from all the citizens of this village, whom, I flatter myself, you will see on all occasions zealous for and entirely devoted to everything which concerns the interest of the cause, of which you are the defender in this country. As far as I am concerned, since I am under the sad necessity of remaining behind, if I can be of any use here, I hope that you will not spare, on any occasion, him who is for life

your very humble and devoted servant,

Charles Gratiot.

N. B. My respects, please, to Captain Bowman and all your officers and you will oblige infinitely

C. Gratiot.

At Cahokia, February 3, 1779.

[*On the reverse*] I hope that on the return from your campaign we shall have the pleasure of seeing you in our village and that you will come with your gentlemen to aid us in drinking our wine, but I fear that if you delay a long time, it will come about that there will be no longer means of drinking any.

[2] *Dr. MSS.*, 49J3, original manuscript. The letter was written to Clark at the time he was preparing to set out for Vincennes. Dr. Louise Phelps Kellogg kindly collated the proof of all the documents from the *Draper MSS.*, printed in this volume, with the originals.

McCarty to his Wife, April 28, 1779.

Ma chere femme Voila la derniere foy que je vous ecrit cet anné un des postes de St. Martin et celuy par votre frere laid &c. depuis quelque tems je necesse de rever de vous et ma chere fille je vouderette a dieu que vous pouvroient etre ici, je craigne fort pour eux et vous tacher ma chere femme de venir avec quelqu'un me rejoindre ici avec eux est il possible ma chere que vous ne pouvroit point trouver quelqu'un Voila Mad. la Captitaine McDurald souhait que vous estoit ici pour me voire en ma habit d'ordonnance Je suis Capitaine dans la Bataillon des Islnois et aide de Camp du Commandant en chef du department ouest. Voila vous me dira bien de avancement subite mais il est vray; je cherche dans cet temps de trouble de affixer un Bien etre pour nos Enfants et je ne peut le faire pour nous, mais cy vous estoit rie vous seray bien en cas de ma mort, Votre pention est assure en s'adressant a l'Etat ou Republique de Virginie. Mon Moulin en mon absence par la grand Abbat de pluie est encore partes mais mon General m'ait promis de faire camper un Regement dans le beau temps au moulin pour la remettre tacher donc ma chere femme de venir me joindre je ne doute point que vous entenderoient parler de moy car j'ai eu Bon part dans la prise de Gouverneur Hamilton et je me flatte que je lui ait rendû service dont il a eu besoin par sa meurteure qu'il faisoit commettre journalm[1] sur les femmes et les Enfants de mes Compatriotes et je croy que cy le Traitteur de Mississippi me rend justice je suis chere a eux par le soin que je en ai prise vis a vis les sauvages &c. et que je prend constammnet. Chere femme tacher de me rejoindre et votre famille, vous cousine espere cela au moins cy vous me haissoit point je suis en esperant de vous y voire avec estime et respect a grand mere, mama oncle Baby & Tant & les francais sont nos alliés.

Votre affectioné marie
Richard M. Carty Capne
Islinois Batallion

[1] Can. Archives, B., 182, p. 71, from a copy. All the copies from the *Haldimand Collection* printed in this volume were furnished by the Canadian Archives.

McCarty to His Wife, April 28, 1779.[1]

My dear wife:—This is the last time that I shall write you this year, one by the posts of St. Martin and that by your brother etc.[2] For some time past I have had to dream of you and my dear daughter. I wish to God that you might be here, since I have great fear for them and you. Try, my dear wife, to come with some one to join me here with them. Is it possible, my dear, that you cannot find any one? There is Madame Captain McDurald who wishes that you were here to see me in my uniform of orderly. I am captain in the Illinois battalion and aid-de-camp of the commander in chief of the western department. There you are, you will tell me, very suddenly advanced; but it is true I am seeking in this time of trouble to establish a fortune for our children and I cannot do it for ourselves; but if that be nothing to you [?], you will be well fixed in case of my death. Your pension is assured by sending to the State or Republic of Virginia. My mill in my absence has been carried away by the great downpour of rain; but my general has promised me that he will have a regiment encamp in the spring at the mill in order to set it up again. Try then, my dear wife, to come and join me. No doubt you have heard people speak of me, for I was prominent in the capture of Governor Hamilton, and I flatter myself that I rendered him service, of which he has had need on account of the murders, which he has caused to be committed daily on the wives and children of my compatriots; and I believe that, if the traders of the Mississippi render me justice, I am dear to them on account of the care which I have taken against the savages etc and which I am taking constantly. Dear wife, try to join me and your family; your cousin hopes it, if you do not hate me. I am living in hope of seeing you here. With esteem and respect to grandmother, mamma, uncle, baby and aunt; and the French are our allies.

Your affectionate husband

Richard McCarty,

Captain Illinois Battalion.

[2] The first sentence, like others in the letter, is difficult to interpret.

Cahos 28 avril 1779

Addressed a Madame MacCarty Chez sa mere a Montreal.

Endorsed: Letter from one Richard MacCarty at Cahos to his wife at Montreal, dated the 28th April 1779. Rec^{d} the 24th of July.

INHABITANTS OF CAHOKIA TO G. R. CLARK, APRIL 11, 1780.

A L'Honorable George Rogers Clark Equier

Colonel et Commandant en Chef des troupes de l'Etat de Virginie dans le Comté des Illinois et ses dependances &c: &c: &c: Monsieur

Dans la situation deplorable ou nous nous trouvons á present, nous vous députons la personne de Monsieur Charles Gratiot l'un de nos citoyens, pour vous representer notre detresse, et la Calamité ou les Nations Sauvage de tous cotés nous Reduisent; Nous Sommes a la Veille d'étre attaqué dans notre Village par des Partis considerable de Sauvages, et de ne pouvoir travailler a la Culture de nos terres cy nous N'avons de prompt Secours; C'est pourquoi nous prenons la liberté de nous adresser a vous, par la confiance et l'esperance que nous avons de votre bonté et de l'affection que vous nous avés toujours temoignée, Mais ce qui nous afflige le plus en cas que vous envoya tant icy du Monde, que nous n'eussions pas les provisions qui leur Seraint necessaire; Monsieur Gratiot pouvé facilement vous instruire des facultés de notre village et l'avons chargé de conferer avec vous a cet effet, y ayant mis toute notre confiance et que vous ne travaillera de Concert que pour nous procurer la paix et la tranquilité et ne cesserons de faire des Voeux au Ciel pour votre Conservation et prosperité.

Nous avons l'honneur detre

Monsieur Vos trés humbles et devoués
Serviteurs

Aux noms des Citoyens du village des Cahoskias le onzieme d' Avril 1780

Antoine Girardin	F. trottier
que	beaulieu.
mar + de	J. B. Saucier
pierre martain	J. B. H. LaCroix

Dr. MSS., 50J27, original manuscript.

Cahokia April 28, 1779.

Addressed, To Madame McCarty, at her mother's, Montreal.

Endorsed: Letter from one Richard McCarty at Cahokia to his wife at Montreal, dated the 28th of April, 1779. Received the 24th of July.

INHABITANTS OF CAHOKIA TO G. R. CLARK, APRIL 11, 1780.[1]

To the Honorable George Rogers Clark, Esquire, Colonel and Commander in Chief of the troops of the State of Virginia in the County of the Illinois and its Dependencies etc.

Sir:

In the deplorable situation in which we find ourselves at present we are deputing to you the person of M. Charles Gratiot, one of our citizens, to set before you our distress and the misery to which the savage nations from all sides are reducing us. We are on the eve of being attacked in our village by considerable parties of savages and will not be able to work at the cultivation of our fields, if we do not have prompt succor.[2] That is why we take the liberty of addressing ourselves to you on account of the confidence and hope which we have in your benevolence and affection, which you have always shown us; but what afflicts us the most is this, that in case you send us many men, we should not have the provisions which would be necessary for them. M. Gartiot can easily inform you of the capacity of our village and we have charged him to confer with you for this purpose; for we have placed all our confidence therein and that you will only work hand and hand with us to procure us peace and repose and we will not cease making prayers to Heaven for your preservation and prosperity.

We have the honor of being, sir, your very humble and devoted servants. In the name of the citizens of Cahokia, the eleventh of April, 1780.

[*Signed*]	Antoine Girardin.	F. Trottier.
	Mark + of	Beaulieu.
	Pierre Martin	J. B. Saucier.
		J. B. H. LaCroix.

[2] The attack was made on Cahokia and St. Louis on May 26th. The British had expected to surprise the inhabitants of the two villages. This shows that they were warned over a month before the attack. The most important documents giving the history of the attack have been published in the Missouri Hist. Soc. *Collections*, ii., No. 6, pp. 41 *et seq.* See also this volume, p. 539.

PETITION OF CADIEN LAUSAGE, JULY 6, 1780.

A L'Honorable Cour du District des Cahoskias

Messieurs:

Cadien Lausage a l'honneur de vous representer trés respectueusement qu'ayant laissé en depot l'autonne dern^re^ une Carabine chez Veuve Germain Jaquet pour trois Cent livres de farrine que le Suppliant devoit a la ditte Dame etant sur son depart pour les Pays d'enhaut ou ses affaires l'appeloit, qu'en outres qu'il avoit laissé la ditte Carabine sur les pretentions qu'en avoit formé le S^r^ Ch^l^ Gratiot disant quelle avoit été prise a un sauvage l'autonne dern^re^ et quil avoit ordre de la retirer.

Mais quelle a été sa surprise lorsqu'a son retour en se village il a voulû aller payer la ditte Dame Jaquet et restirer la ditte Carabine; elle lui a dit quelle avoit eté saisie par l'ordre privée de Mons^r^ Franc^s^ Trotié alors Juge de Police en faveur de Jos^h^ Alary pour une somme quil lui devoit le Suppliant payable a printems, et que les dits Sieurs Trotié et Jos^h^ Alarry l'avoit forcée a livrer la ditte Carabine; comme le Sertificat de la ditte Dame ainsi que celui de son frere le Prouve.

Le Suppliant a l'honneur de vous representer a cela, dexsaminer attentivement cy le Sr. Fr. Trotié était en droit en sa qualité de Juge de Police de delivrer une saisie de son autorité privée et sans celle de la cour, pour une somme pareille a celle la, puisque un Juge de Paix ne peut Juger au qu'une affaire en son particulier passé la somme de vingt cinq sheling de la Province de la Virginie, qu'en outre la Suppliant s'ettant arrengé avec le Deffendeur pour payer sur le Mississipy la somme quil lui devoit, que le deffendeur devoit chargé deffun Pajet de ses Billets qui devoit en recevoir le payement lequel etoit tout fort a lui livrer, mais que le deffun Pajet n'ayant pas été jus qu'a lui le Suppliant c'est vû dans la necessité de garder le dit payement et de l'apporter avec lui lequel il est pret a faire au Deffendeur.

[1] Chi. Hist. Soc., *Cah. Rec.*, original manuscript. Transcription by the editor.

[2] Trottier was a member of the Court at the time. I do not know whether the title of justice of the police was given to the justice holding the Court during the week or to each justice of the peace. Later, one member of the Court was delegated to hear causes between the sessions and was called president of the Court and justice of the week. See *supra*, p. 55.

PETITION OF CADIEN LAUSAGE, JULY 6, 1780.[1]

To the Honorable Court of the District of Cahokia.

Sirs:

Cadien Lausage has the honor of showing you very repectfully that he left on deposit last autumn a rifle at the house of Madame Germain Jaquet, widow, as pledge for three hundred pounds of flour, which the petitioner owed the said lady, since he was about to depart for the upper country, where his business called him; that, furthermore, he had left the said rifle because of the claims which M. Charles Gratiot had made to it, affirming that it had been taken from a savage last autumn and that he had an order to take possession of it.

But what was his surprise, when, on his return to this village, he wished to go and pay the said Madame Jaquet and repossess himself of the said rifle, she told him that it had been seized on the private order of M. François Trottier, at that time judge of police,[2] in favor of Joseph Alarie for a sum which he, the petitioner, owed him, payable in the spring; and that the said MM. Trottier and Joseph Alarie had compelled her to deliver up the said rifle, as the certificate of the said lady and that of her brother prove.

The petitioner has the honor to request this of you, to examine carefully, if M. Fr. Trottier was within his rights in issuing, in his capacity as judge of the police, on his private authority and without that of the Court, a writ of seizure for a sum like that, since a justice of the peace of the province of Virginia by himself cannot pass judgment in a suit for more than twenty-five shillings; and to notice, also, that the petitioner had arranged with the defendant to pay the sum, which he owes him, on the Mississippi; that the defendant was to have intrusted the deceased Pajet with his notes, who was to receive the payment for them and which was all ready for delivery to him; but that, the deceased Pajet not having come, the petitioner saw himself under the necessity of keeping the said payment and of carrying it with him, and this he is ready to make to the defendant.

In consideration of this, sirs, that, since MM. Joseph Alarie and Fr. Trottier have by their private authority, and not by that of

Ce Consideré Messieurs quil vous plaise ordonner que puisque les S^rs^ Josh Alary et F^rs^ Trotié se sont cy injustement saisie de leurs autorité privée et sans celle de la Justice et que le S^r^ Josh Alary s'en soit servy comme il a fait, de vouloir les condamner a payer la ditte Carabine Cent Piastres gourdes qui est le prix quelle a couté et les condamner a tous fraix depend, Dommages &c: tant de la procedure que dailleur et feres Droit.

aux Cahos le 6 Juillet 1780 Pr. Cadien Lausage Ch Gratiot

INHABITANTS OF CAHOKIA TO DE LA BALME, SEPT. 21, 1780.

Declaration au nom des Habitants du Village de Cahokias aux Islinois addressée au Mons. Motin de la Balme pensionnaire du Roi de france et Colonel françois &ca &c &ce

Monsieur

Nous soussignés Habitants des Cahokias tres persuadé de l'elevation de vos sentiments pour nous joint a cela le Haut rang que vous tenez dans le monde dont nous ne pouvons plus douter, et plus encor les lustre nom de françois que vous porté et dont vous vous faites honneur seul nom pour lequel nous ne cessons de soupirer de peur qu'il ne s'etaigne chez nous et pour lequel meme nous avons toujours été et sommes encore prets a sacrifier non pas nos biens seuls qui ne sont que par trop mediocres, mais nos propres viese

Ces motiffes de Consolation et d'autres non moins legitimes nous commande imperieusement d'avoire en vôtre personne une si grande Confiance que nous vous prions unanimement de vouloir bien Ecouter d'une oreille favorable la declaraton que nous osons vous presenter touchant tous les mauvais traitements que nous avons souffert patiemmement depuis que les troupes de Virginie sont malheureusement arrivé chez nous jusqu'a present.

Non que nous veuillons entreprendre de vous ennuyer de plaintes innutiles qui ne serviroient a rien pour nous delivrer d'une insuportable tirannie, n'y meme a nous avancer un bonheur plus durable a la Venire, et que nous esperons bientot. C'est pourquoy nous ne voulons que rapporter de la maniere la plus

[1] Can. Archives, B., 184 vol. 2, p. 447, from copy.

[2] For an account of the expedition of De la Balme, see *Introduction*, pp. lxxxix. *et seq.*

justice, seized the rifle so unjustly and since M. Joseph Alarie has made the use thereof that he has, it please you to condemn them to pay for the said rifle one hundred *piastres gourdes*, which is the price that it has cost, and to condemn them to pay all costs, charges, damages etc as well for the procedure as otherwise and you will render justice.

At Cahokia July 6, 1780. For Cadien Lausage

Charles Gratiot.

INHABITANTS OF CAHOKIA TO DE LA BALME, SEPTEMBER 21, 1780.[1]

Declaration in the name of the inhabitants of the village of Cahokia in the Illinois, sent to M. Mottin de la Balme, pensioner of the King of France and French Colonel etc.

Sir:—

We, the undersigned inhabitants of Cahokia, are well persuaded of the loftiness of your sentiments for us and of the high rank which you hold in the world, concerning which we can no longer doubt, and still more of the illustrious name of Frenchman which you bear and honor, the only name for which we do not cease to sigh for fear that it be extinguished among us and for which we have always been and are still ready to sacrifice not only our property, which is only too small, but our own lives.[2]

These causes for consolation and for others not less legitimate command us imperiously to have so great confidence in your person that we unanimously pray you to consent to listen with favorable ear to the declaration, which we dare to present to you, concerning all the bad treatment which we have patiently suffered, since the troops of Virginia unfortunately arrived in our midst until the present moment.

We do not desire to attempt wearying you with useless complaints, which would serve in no way to free us from an insupportable tyranny nor further for us a happiness more durable in the future and which we hope for soon. That is why we wish only to relate in the most simple and faithful manner the most true things, which they (the Virginians) themselves are incapable of calling in question.

simple et la plus fidelle les choses les plus veritable sur les quelles ils sont eux memes incapable de contester.

Ou les troupes Virginiennes etant arrivés au Kaskaskias il y a deux ans passés commandés par le Colonel S[r] George Rogers Klark, ils se sont saisi de la personne de Monsieur de Rocheblave sans que les habitants du dit village se soient mis en devoire de leur faire aucunes resistance, vu qu'ils se declarerent formellement amateurs de la liberté pour laquelle ils ne cessoient de se battre et encore plus constemment fidelles allies de la France leur plus grande protectrice. Il ne leurs fut donc pas possible de faire le moindre signe de viollence au seul nom des francois un fois prononcé devant eux.

Ces Habitans enfin peu attentifs a leur propre bonheur et n'ayant point eux mêmes assez d'esperience pour decouvrir leur fourberie cachée, Sous de fausse apparence d'honetes gens n'y point prevenir les facheuses suittes qui les menacoient ainsy que nous et qui nont pas manquer de s'effectuer en effet se sont rendues avec la plus grande crédulité sans meme exiger de voire aucuns Titres qui puissent nullement les eclaircire ny leur prouver par quelle autorité le Col. Clark s'emparoit de leur village, s'aveuglant eux mêmes du doux espoir de se revoir en bien peu de temps les trés humble et fideles sujets de leur ancien et trés puissant monarque le roix de France.

Nous avons lieu de croire que les Virginiens voyant la trop grande Credulité des Habitants des Kaskaskias et trouvant en un mot combien il leur etoit facille de faire le conquête d'un pays habité par des gens si credulle et si aisé a gouverner ont sans doutte crus à propos de depecher promptement le Capitaine Jos[h] Bowman pour venir s'emparer de notre Village, n'ayant uniquement que trente hommes avec eux et sans estre soutenu d'aucuns titres reconnus ny des Etats unis ny meme de l'Etat de Virginie, ou s'il en avoit s'est epargné la pene de nous les faire voir, ou craignant quelques facheuses suittes les voyant nos voisins et meme maitres des Kaskaskias avons proferer de nous rendre plutot que des nous exposer à de plus grandes risques joint à cela les promesses récidivées qu'ils nous faisoient incessamment

When the Virginia troops arrived in Kaskaskia two years ago, commanded by Colonel George Rogers Clark, they captured the person of M. de Rocheblave without the inhabitants of said village attempting the duty of making any resistance to them; because they explicitly declared themselves lovers of liberty for which they fought incessantly, and still more constantly as faithful allies of the French, their greatest protector. It was not, then, possible for the Kaskaskians to make the least sign of violence to the name of Frenchmen once pronounced before them.

These inhabitants, finally, little attentive to their own happiness and not sufficiently experienced to discover the concealed knavery of the Virginians under the false appearance of honest people or to anticipate the grievous consequences which menaced them as well as us, and which have not failed to take effect, have surrendered themselves with the greatest credulity, without even exacting a sight of any credentials which might enlighten them in any way or prove to them by what authority Colonel Clark took possession of their village, for they blinded themselves with the sweet hope of seeing themselves again in a short time the very humble and faithful subjects of their former and very powerful monarch, the king of France.

We have reason to believe that the Virginians, after seeing the very great credulity of the inhabitants of Kaskaskia and finding, in short, how easily it was for them to make the conquest of a country inhabited by people so credulous and so easy to govern, have undoubtedly believed it expedient to despatch immediately Captain Joseph Bowman to come and take possession of our village. He had only thirty men with him and was unsupported by any recognized credentials either from the United States or even from the State of Virginia or, if he had them, he saved himself the trouble of showing them to us. And we, fearing some grievous consequences in seeing them our neighbors and even masters of Kaskaskia, have preferred to surrender rather than expose ourselves to greater risks. There should be added to this the repeated promises, which they continually made us, of enjoying the sweets of liberty and its advantages and the declaration to us, under oath

de jouire de douceurs de la liberté et de ses avantages, et nous affirment par serment meme que la guerre entre l'ammerique et la grande Bretagne ne pouvoit pas durer plus qu'une année vue que la voix seppuisoient to us les jours et ne tiroit aucune force generallement que ce peut etre d'ailleurs, enfin les protestations reiterés detre toujours sincere et allies fidelles et plus encore l'esperance de nous voire un pour assujetie au joug leger de la France. Nous ont contraint à les recevoir chez nous comme amis croyant bien qu'ils etoient authorise du Congié Meme et non pas qu'ils formoient un Etat particulier entre eux.

Nous voyant alors epuisés et reduits a souffrir les fleaux d'une guere contre les sujets de la grande Bretagne dont la cause et principal point ne nous venoit que par apart aux Virginiens qui nous avoit conquis. Nous avons crus necessaire d'en prevenir le Colonel Clark qui etablissoit pour lors la minne de faire ou il avoit ammené quantité de famille et Beaucoup de Trouppes.

Mais ce dernier il faut croire se voyant à charge tant de monde sans vivres, nat point beaucoup hesité de nous envoyer pres de deux cent hommes, aux quels il s'est joint affectant sous les apparences d'un feau zele le plaisir qu'il avoit de nous estre de quelqu'utilité.

Quelques jours apres son arrivée icy l'armee de nos ennemis composé d'un assez nombreuse quantité de Sauvages cy devant nos fidelles amis, et fort peu d'englois etant debarqué partie sur notre rive et le reste sur les terre espagnolles s'est retirés s'etant borné a quelques tis-tis a leur lache maniere de faire la guere sans faire un grand Carnage dans notre partie.

[1] This may be the meaning, but the passage is very obscure.

[2] This statement is probably true, for an attack on Illinois by the states had been expected before the appearance of Clark. See *Introduction*, p. xxxv.

[3] The chronology from this point on is difficult to understand. If it is assumed that the narrative follows the chronological order, as from the connectives it appears to do, this attack on St. Louis and Cahokia occurred in the fall of 1778, the retaliation on the Indians immediately afterwards, and after that the troops were left in Cahokia, where they still were in 1780. All this is impossible, for Great Britain was not at war with Spain, Montgomery had returned to Virginia, and the troops were not in Cahokia all the time from 1778 to 1780, as the document itself later shows. Therefore, the narrative as it stands is not chronological.

If we suppose that the writers set down each grievance as it came to their minds, new difficulties arise. The transition to this passage is too abrupt. On page 543 the writers mention Captain McCarty and add, "of whom we have spoken before," although it is the first time his name appears. On page 549, near the end of the memorial, the writers declare that they will now narrate a detailed account of the treatment they have received from the Virginians, and begin with number 1; but that detailed account had already been given.

From these chronological and other inconsistencies, it is evident that the pages of the original memorial had become misplaced before any copy of them was made, and subsequent

even, that the war between America and Great Britain could not last longer than a year, seeing that public opinion was being wearied every day and that no conclusion was generally drawn that it would be otherwise;[1] and finally the reiterated protestations that they were always sincere and allied friends; and furthermore the hope of seeing ourselves again subjected to the light yoke of France. Therefore we were constrained to receive them among us as friends, believing indeed that they were authorized by Congress itself and not that they represented a particular state.[2]

Seeing ourselves exhausted and reduced to suffer the scourge of a war against the subjects of Great Britain, the cause and principal point of which reached us only from the side of the Virginians who had conquered us, we have believed it necessary to inform Colonel Clark thereof, who was establishing at that time the Iron Banks where he had brought numerous families and many troops.[3]

But this latter, it must be believed, seeing himself in charge of so great a number without supplies, has not hesitated long to send us almost two hundred men, to whom he joined himself, affecting under the appearance of a false zeal, the pleasure which he had in being of some utility to us.

Some days after his arrival here, the army of our enemy, composed of a sufficiently large number of savages, herebefore our faithful friends, and of very few English, having disembarked,

copies have perpetuated the error. That this is true may be easily proved by transposing this passage, including the paragraphs through the one beginning with "On the return from this last ill success", with the passage on page 547 beginning with "We believed also that there", and including the paragraphs through the one which begins with "A heifer, about two years old", when all difficulties of chronology and interpretation disappear.

Such memorials as these, of which I have seen several, were written on folios placed together, but unsewed, and folded once. In this case there must have been four folios, making, when folded, sixteen pages. The first four pages were in correct order when copied, but with the paragraphs which would fall on the pages 5 and 6 the difficulties begin; then there follow four pages of narrative without inconsistencies, and on what would be pages 11 and 12 further difficulties occur. These pages of the memorial, i. e., 5, 6, 11, and 12, were written on the same folio. What has happened is this: one of the first readers of the memorial has folded the folio backwards, so that pages 11 and 12 replaced pages 5 and 6. This was not noticed by the copyist, because the pages of the memorial were not numbered and because each sheet began and ended with a paragraph.

With this change, the paragraph under consideration is easily explained. The "*en*" refers to the expected attack by the British and Indians in 1780; the "*mine de faire*" should read *mine de fer*, which means the Iron Banks south of the mouth of the Ohio, where Clark was building Fort Jefferson. See letter from the Cahokians to Clark, asking for his assistance, p. 531.

Oh! le Col. Clark affectant toujours de vouloir notre bien publique sous pret ex de nous Vanger forma aussitot avec nous et conjointement aux Espagnoles un partis de plus trois cents hommes pour aller ravager dans leur propre village les Sauvages qui etoient venus nous harceller chez nous ayant substitué en Sa place Col. Montgommery pour nous commander et aussitost il nous a laissé.

Il est donc bon Monsieur de vous exposer que les Virginiens n'ayant jamais eu aucunne principe d'economie ont été cause par leur peu d'arrangement et mauvaise conduitte na point reussi et que notre glorieux projets se sons trouvés par leur faute evannouié, les Sauvages ayant abandonné leurs Villages les plus proches ou nous avons été nous nous sommes vus forcé a relacher et ne pas pousser routte plus loin n'ayant plus presque de vivres ny de poudre ny balle ce qu'ils s'etoient chargé de nous fournir eux memes. l'un des plus grand sujet pour lequel se plaignent tous les jeunes gens qui ne veulent plus entendre parler de les suivres en quelques lieux que se puisse etre.

Au retour de cette derniere Cacade le Colonel Montgommery nous a proposé de garder les troupes que nous souhaitterons pour la sureté de notre Village, deignez aussi rappeller que nous ne croyons point qu'il nous faisoit cette offre par un Veritable effet de son zéle qu'il nous vouloit montrer mais parcequ'il s'en voyoit luy meme embarassé. nous avons cru necessaire de garder avec nous cent hommes que nous nous sommes obligé de nourir chez nous et comme nous meme lesquels sont encore chez nous les uns malades et les autres en santées qui ne nous sont qu'a charge et qui dans un tems aussi critique que celuy ou nous sommes a present ne daigne point seulement faire la moindre guarde puisqu'ils manquent donc totallement leurs engagements nous ne nous croyons plus obligé au soutiens d'un Trouppe qui nous infecte et nous ruine en ne nous payant point ce que nous leurs avons jusqu'a ce jour avancé qu'avec un monnoye dont nous ne pouvons rien

[1] Expedition to the Rock River under the command of Montgomery, while Clark hurried south to intercept another army of the enemy on its way to Kentucky.—*Va. State Papers*, iii, 441. Captain Rogers also says that the Spaniards joined Montgomery for the expedition to the Rock river.—*Dr. MSS.*, 28J3.

part on our bank and the remainder on Spanish land, withdrew, having limited themselves to some "*tis-tis*" in their slack manner of making war without causing a great carnage in our country.

Oh! Colonel Clark, affecting always to desire our public welfare and under pretext of avenging us, soon formed with us and conjointly with the Spaniards a party of more than three hundred men to go and attack in their own village the savages who had come to our homes to harass us, and after substituting Colonel Montgomery to command us in his place, he soon left us.

It is, then, well to explain to you, sir, that the Virginians, who never employed any principle of economy, have been the cause, by their lack of management and bad conduct, of the non-success of the expedition and that our glorious projects have failed through their fault; for the savages abandoned their nearest villages, where we have been, and we were forced to stop and not push on further, since we had almost no more provisions, powder and balls, which the Virginians had undertaken to furnish us.[1] This is one of the greatest subjects about which all the young men complain and they no longer wish to hear talk of following the Virginians to any place whatsoever.

On the return from this last ill success, Colonel Montgomery proposed that we keep the troops which we wished for the safety of our village. Deign also to recall that we do not believe that he made this offer from a true effect of his zeal, which he wished to show us; but because he saw himself embarassed. We believed it necessary to keep with us a hundred men, whom we are obliged to support at our homes, and like ourselves they are still with us, some sick and others well; and they are only a charge to us and at a time so critical as this present, they do not deign to do the least guard duty. Since, therefore, they fail totally in their engagements, we do not believe ourselves bound to the support of a body of troops, that infect and ruin us by not paying for what we have up to this day advanced to them except with a money with which we can buy nothing; for property infinitely more considerable than ours would be weakened very quickly and

avoire des biens infiniement plus considerable que les notre, s'alterroient bien vitre et s'eppuiseroient enfin si comme nous ils s'avanceroient toujours et ne recevoient rien.

Joint à cela encor nous avons l'honneur de vous observer qu'il est arrivé ici dernierement que le Capitaine Hallars logant dans ce village, s'est adonner a entrer dans la maison d'un Habitant de ce Village, ou etoit logé un Soldat de sa compagnie lequel s'est plaint de la mauvaise nourriture bien qu'il fut à la table de son haute homme chargé d'une nombreuse famille, et qui n'a qu'un bien très mediocre enfin le Capitaine prenant un ton imperieux dit qu'il pretendoit que les soldats fussent bien traitté et qu'il lui ordonnoit de tuer ses poulles jusqu'a la derniere, et qu'après il le forcheroient d'acheter ailleurs a prix d'argent n'ayant pas lui meme assez de raison ou n'en vouloit point avoire ny croire qu'il ne tendoient tous qu'a la ruine et insuportable captivité de tous les Habitants.

En outre le major Rich[d] Mc Carty dont nous avons deja parlé mecontent disoit il du mauvais procedé des Habitants à leurs egards; auroit souhaitter Commander en chef ce village afin de faire prendre une partie des principaux Habitants dicy pour les mettre au fers et les envoyer ainsy gainer dans la Virginie n'etant pas encor rapasé de la vaine et trop grande credulité avec laquelle il nous ont jusqu'icy abusé.

Il nous plaira aussy croire que dernierement Major William ayant envoyé chez Monsieur gagné habitant de ce lieux un soldat avec un ordre pour y loger. Cet homme qui depuis un assez long espace de temps avoit eu l'importunité jusqu'au nombre de quatre a la fois et qui en avoit encor un dans le meme moment ne se croyant point obligé de prendre ce dernier par plusieurs fois recidivez le renvoye parrer son ordre refusant constemment de le recevoire Le Major William meme s'emportant en une furieuse Coller s'est munis de deux bon pistolets avec resolution de le luy faire revoire son soldat par la force, en ayant rencontré en chemin ledit gagné il luy a appliqué un de ses pistolets sous la gorge le menaçant bien fort de luy flamber le tette s'il ne vouloit incontinent obeir a son ordre et loger son soldat.

finally exhausted, if like us, the owners were always making advances and receiving nothing in return.

Joined to this also, we have the honor to inform you of what happened here recently. Captain Hallars [Kellar?] happened to enter into the house of an inhabitant of this village where was lodged a soldier of his company, who complained of the bad food, although he was at the table of a host intrusted with a numerous family who has only a very small property. Finally the captain, assuming an imperious tone, said that he meant that the soldiers should be well treated and he ordered the man to kill his fowls up to the last one, and afterwards compelled him to buy elsewhere at the money price, because he did not have or did not wish to have sufficient reason for believing that they were reducing to ruin and insupportable captivity all the inhabitants.

Furthermore, Major Richard McCarty, of whom we have already spoken, discontented, he said, with the bad behavior of the inhabitants towards them, had wished to be chief commander of this village in order to have arrested a part of the principal inhabitants thereof so that he might put them in irons and send them, thus caught, to Virginia, since he is not satiated with the vain and too great credulity by means of which they have until now deceived us.

It will please you also to consider that lately Major William sent to the house of M. Gagné, an inhabitant of this place, a soldier with an order to lodge there. This man, who for a sufficiently long time had had the vexation of as many as four at a time and who had one of them still at the very time, did not believe himself obliged to take this last, and several times sent him back to get rid of his order, and refused constantly to receive him. Major William himself, flying into a furious passion, armed himself with two good pistols in the determination to force him to receive his soldier; and having met on the way the said Gagné, he placed one of his pistols at his neck and threatened fiercely to blow off his head, if he did not agree immediately to obey his order and lodge his soldier.

Dernierement aussi le meme Major William ayant envoyé chez un nommé lefebre forgeron pour emprunter quelques Bouteilles de taffia Ce dernier luy a fait repondre que n'etant point maitre puisqu'il le debitoit pour un autre qui le payoit pour ses peinnes il ne luy etoit point possible de prendre sur luy et qu'il étoit prêt a luy en ceder cent pots s'il le souhaittoit moyennant qu'il donneroit de l'argent comptant aussitot et sans attendre d'avantage le Major envoya un officier ou sergent accompagné par six soldats avec ordre de saisir tous les taffias que le dit lefevre pouvoit avoire et ce sans doutte au profit des Etats de Virginie, mais ce dernier leur ayant montré le lieux ou ses Brissons etoient referme ils n'ont point osé faire fraction et en a été aquitté au moyen d'un cruche qu'il a été oblige de leurs donner.

Pour mieux vous faire Connoitre le peu d'indulgence qu'ils avoient pour nous le peu de soins qu'ils prennoient de s'attirer nos coeurs et meme davantage leur impitoyable genre de gouverner un peuple sur lequel ils voyoient avoire pris trop d'avantage, ils sont exigé de expressement et nous ont forcé de leur fournir une quantité considerable de farinne pour mettre en Magazin et pour les Besoins de l'Etat, Voulant disoient ils faire une expédition pour notre salut generalle sans nous dire formellement ny ou ils vouloient aller ny ce qu'ils vouloient faire.

oh! comme nous n'avons pas tout a fait paru disposé a consentir trop aveuglement à leur requisition ils ont des ce moment voulu opprimer la force par la force, et Sans plus tarder au envoya un de leurs officiers un sergent suivié de quelques soldats pour faire la visite dans tous les moulins de ce village afin de combiner par eux memes selon les farennes qu'ils y trouveroient Et qu'ils en pourroient prendre pour eux cette guarde conduitte par leurs mauvais princippes ont osé forcer les portes qui se sont trouvé fermé menacent même de donner de leurs Carabines ceux qui seroient assez hardis de s'opposer a leur infame violence osait de plus imprimer Sur les portes de chaque moulin l'etampe de l'Etat de Virginie comme luy appartenant. Entre ceux qui ont des moulins

[1] After the return from the Rock River expedition Major Williams was left in command of the troops at Cahokia, superseding McCarty.—English, *Conquest of the Northwest*, ii., 790.

Lately also, the same Major William,[1] having sent to the house of a man named Lefevre, blacksmith, to borrow some bottles of tafia, this latter answered that he was not the owner, since he sold them at retail for another who paid him for his trouble, and that it was not possible to assume the responsibility and that he was ready to give him a hundred jugs thereof, if he wished to pay cash. Immediately and without waiting longer, the major sent an officer or sergent accompanied by six soldiers with an order to seize all the tafia which the said Lefevre might have; and this without doubt to the profit of the estates of Virginia; but after this last had shown the place where his liquor was locked up, they did not dare to break in and he has been freed from them by paying a jugfull which he was obliged to give them.

In order that you may better understand the little indulgence which they have for us and the little care they take to win our affections and even more their pitiless manner of governing a people, over whom they see they have taken such an advantage, we tell you that they exacted expressly, and have compelled us to furnish, a considerable quantity of flour to put in their storehouse for the needs of the state, since they wished, they said, to make an expedition for our general welfare, without telling us explicitly where they intended to go or what they wished to do.

Oh! As we have not appeared wholly disposed to consent too blindly to their requisition, they have from that moment determined to put down force by force; and without further delay they sent one of their officers, a sergent followed by some soldiers, to search all the mills of this village in order to make collections on their own account, according to the amount of the flour which they found there and which they could take for themselves. This guard, governed by their evil principles, dared to break the doors, which were locked, and they threatened with their rifles those who were bold enough to make opposition to their infamous violence; and they dared further to mark on the doors of each mill the stamp of the State of Virginia, as a sign that it belonged thereto. Among those who had mills, there was only M. Beaulieu, one of the cap-

il ne s'est trouvé que M. Beaulieu l'un des Capitaines de milice d'icy qui s'y est exposé furieusement et contre lequel ils n'ont point osé exercer leur cruelle tiranie. Il nous reste encore à savoir si la crainte ou la honte les a Retenus.

Nous voyant donc ainsy Molesté par nos fidelles alliés au moins qui osoient se servir de ce titre pretendu nous avons sollicité afin que les soldats fussent dispensé dans chaqu'une de nos maisons esperant par la estre moins Captivé et pouvoir mieux conserver nos Bestiaux preferant à notre malheureux sort, la jaine d'avoire chez soye une troupe de Brigans qui loin de nous estre de quelqu' utilité nous sont insuportables et pour les pensions desquels nous sommes forcés à tenir des billets de logement en payement sans nul espoir d'en estre jamais payé.

Nous ne vous dirons point par quel heureux destin nous nous en ommes trouvés debarassé. Nous scavons seulement que par un bonheur imprevu ils ont été rapellé aux Kaskaskias pour passer leur quartier d'Hyver. Ce qui nous a procuré une grande tranuilitté jusqu'a ce printems dernier ou ayant été menacé d'une armée considerable qui se formoit de la part des royalistes pour venir nous combattre et tacher moyen d'achever notre ruinne très persuadé qu'elle etoit avancée a un grand point.

Nous crumes donc apres n'avoire rien à craindre en commercant avec eux nos Marchandises denrées meme nos animaux de toute espece pour leur argent qu'ils nous en asseuré bonnes et qui n'at aucuns cours en ce pays pas meme entre eux ils nous ont aussy chargé d'un nombre immense de lettres de change sur le tresorié de Virginie dont nous ne pouvons rien faire et dont nous sommes infectes jusqu'a present et ce apres nous avoir fidellement promis que ces papiers nous seroient payé en or ou bonnes marchandises à grand prix que nous pouvons commercer et gagner considerablement.

Non contents encor de nous avoire epuisé et ruiné en nous prenant generallement tout nos denrees et animaux sans nous les payer ne voulant pas meme nous permettre d'en transporter sur une autre rive pour en tirer de quoy nous retiré ils menacent

[1] Winter of 1779-1780.

tains of militia of this place, who exposed himself to their violence with fury and against whom they have not dared to exercise their cruel tyranny. We are still doubtful whether fear or shame restrained them.

Seeing ourselves thus troubled by our faithful allies, at least by those who dared to make use of this pretended title, we have petitioned that the soldiers should be billeted in each of our houses, since we hoped thereby to be less held captive and to be better able to preserve our animals, preferring in our unhappy lot the inconvenience of having at our houses a troop of brigands, who, far from being of any use to us, are insupportable and for whose board we are obliged to take in payment notes for lodgment without any hope of being ever paid.

We shall not tell you by what lucky fate we were freed from them. We know only that by an unforeseen good fortune they were recalled to Kaskaskia to pass their winter quarters,[1] which procured for us a great peace until last spring, when we were menaced by a considerable army which was formed by the royalists to come to attack us and attempt means of achieving our ruin, being persuaded that it had reached its height.

We believed, also, that there was nothing to fear in trading our merchandise, commodities and even our animals of all kinds with the Virginians for their money, which they assured us was good, and which had no currency in this country even among themselves. They have also loaded us with an immense number of letters of exchange on the treasury of Virginia, with which we could do nothing and with which we are infected up to the present; and this after having faithfully promised us that these would be paid in gold or good merchandise at a good price, with which we could trade and make a considerable gain.

Not content, however, with having exhausted and ruined us by taking from us generally all our commodities and animals without paying for them and not wishing to permit us to export any to the other bank, that we might obtain therefrom wherewith to recover from our difficulties [?], they threatened with cruel punishments those who should do so without their consent, if

de cruelles punitions ceux qui le pouvoient faire sans leur deliberation, s'il y etoit surpris et souvant se sentant fort, par la facillité avec laquelle ils nous ont toujours gouverné jusqu'a present qu'ils font plus qu'a menacer parcequ'ils en viennent a des faits.

C'est a ce moment Mons: que nous entreprenons de vous faire le plus brievement que nous pouvons le detaille des insupportables manieres d'agire des Trouppes de Virginie a notre Egard, nous qu'ils ne la soit de traiter d'amis et alliés fidelles, ils ont droit en quelque sorte parcequ'ils ne trouveroient point ailleur d'amis si bons ny si doux pour eux.

1. Nous commençons donc par vous rapporter icy que le Capitaine Rich[d] McCarty ayant eté renvoyé icy l'année derniere (après l'expedition marquée du Detroit) pour y resider en qualité de Commandant est arrivé avec une petite garnison de quarante Hommes au plus qui se sont logé dans une maison cise en ce Village assez propre et spacieuse pour y loger commodement un certain nombre de soldats (nous voyant dans l'impossibilité de faire autrement)nous nous sommes memes obligé tous unanimement de leur procurer une quantité suffisante de farinne Mays et Viandes pour leurs substance qu'ils n'ont pas sans doutte trouvé suffisante puisque les soldats ne se gennoient point pour tuer (meme devant nous) nos pourceaux et autres animaux sans que leurs Capitaines ou officiers s'empresassent à y mettre ordre quelques representations qu'on leurs fisse.

Probablement un Boeuf de Charue qu'ils ont tué sur la place devant le fort appartenant a un homme pierre Roux que le Cappitaine du detachement a payé mais le tort n'a pas été moins grand pour un pauvre Homme a qu'il n'etoit pas possible d'en ravoire un autre pareille.

Une tor d'environ deux ans qu'ils ont tué a Monsieur Trotier qu'il luy ont payé avec un bon encore a estre payé.

Enfin plusieurs motiffs aussy sencible qu'ils seroit innutile de decrire dans cette narration croyant ce que nous avons rapportés suffisant pour faire voire la justice de ce que nous avons l'honneur de vous observer Monsieur et qui vous font assi voire que les Virginniens n'ont jamais eu d'autre butte que celuy de nous opprimer

they should be caught; and often feeling themselves strong on account of the ease with which they have always governed us up to the present, they are doing more than threatening, because they come to deeds.

It is now, sir, that we undertake to make for you as briefly as possible the detailed account of the insupportable manner the troops of Virginia have acted towards us, us whom they were to treat as friends and faithful allies; and they are right in a way because they would not find elsewhere friends so good and so gentle to them.

1. We begin then by reporting to you here that Captain Richard McCarty, having been sent here last year (after the failure of the Detroit expedition) to take up his residence as commandant, arrived with a little garrison of forty men or more, who have been lodged in a house situated in this village sufficiently proper and spacious to lodge there easily a certain number of soldiers. Since we saw the impossibility of doing otherwise, we unanimously bound ourselves to procure for them a sufficient quantity of flour, corn and meat for their subsistence, which they have not found sufficient undoubtedly, since the soldiers made no ceremonies about killing, before our eyes even, our pigs and other animals, without their captains and officers bestirring themselves to provide therefor, when representations were made to them.

There was a plough-ox belonging to a man named Pierre Roux, which they killed on the square before the fort for which the captain of the detachment paid; but the wrong was not less great to a poor man since it was impossible to get another like it.

A heifer, about two years old, belonging to M. Trottier, which they killed, and for which they settled with a *bon* still to be paid.

Finally several counts as obvious as they would be useless to describe in this narrative, for we believe that what we have reported sufficient to make you see the justice of what we have the honor to call to your attention, sir, and which cause us, also, to see that the Virginians have never had other end than that of

Changeant eux memes en la plus insuportable Captivité l'espoir dont il nous avoit flatté en entrans sur nos terres de jouir comme eux memes des douceurs de la plus paisible possession de nos bien et d'une entiere liberté et qu'ils veulent a present nous ravir.

C'est ce que nous sommes tous Capable de soutenir par les serments les plus inviolable et pourquoy nous avons en faire signe pour donner force aux presentes.

Mais nous ne devons nullement doutter que le voix de france le plus grand de tous les potentas S'ignore très certainement la triste et deplorable cituation ou sont a present reduits ses tres fideles et bien aimés sujets Canadiens et Creole, par la trop grande Credulité que nous avons eu en la fourberie des Trouppes Virginiennes et que nous avons crus ses fidelles alliés credulité si funeste pour nous et dont nous ne sommes des abuse que depuis que vous nous avez fait l'honneur de nous aider de vos sages et tres puissant Conseils.

Pouvons nous croire que notre genereux et tres bon pere le roix de france nous abandonnoit aussy a notre malheureux Sort s'il pouvoit une fois connoitre les fonds de nos coeurs, que nous sommes prets a luy sacrifier nous nous devons croire qu'il penseroit plus avantageusement de nous et ne trouveroit de vray bonheur pour luy qu'en nous procurant a l'avenir un bonheur infinie en nous reprenant sous sa protection et nous declarant ses bien aimés sujets Esperons cheres compatriottes qu'une fois persuadé et certain de notre fidellités de coeur que non seulement il nous reconnoitra pour ses fidelles enfants et nous fournira tous les moyens et secour necessaires avec lesquels nous pouvons secouer le fardeau pesant qui nous écrassent et soutenu par un tel monarque quelle puissance a l'avenir osera entreprendre de nous subjuguer.

C'est donc Monsieur avec toutte l'affection et zele que nous vous promettons que vous voudrez bien vous interesser à nos maleurs et parler en notre faveur fasse le ciel que par votre interception nous puisions parvenir un jour a ce que nous aspirons qui n'est autre chose que le bonheur et nous revoir tous francois. Nous n'avons autre chose a vous offrir en otage que la plus grande

oppressing us by changing into the most insupportable captivity the hope, with which they had flattered us on entering on our lands, of enjoying, like themselves, the sweetness of the most peaceable possession of our goods and of a complete liberty, of which they wish now to rob us.

This is what we are all capable of affirming by the most inviolable oaths and why we have caused this to be signed in order to give strength to these presents.

But we ought in no way to doubt that the public opinion of France, the grandest of all powers, is very certainly unacquainted with the sad and deplorable situation to which her most faithful and well-loved subjects, Canadians and Creoles, are at present reduced by the too great credulity, which we have had, in the knavery of the Virginian troops and whom we have believed her faithful allies; a credulity so fatal for us and of which we have been disabused since you have made us the honor of aiding us with your wise and very powerful counsels.

Can we believe that our generous and very good father, the King of France, would abandon us so to our unhappy lot, if he could once know that in the depths of our hearts we are ready to sacrifice ourselves; we must believe that he would think more highly of us and would find true happiness for himself only in procuring for us in the future an infinite happiness by retaking us under his protection and declaring us his well-loved subjects. We hope, dear compatriots, that once persuaded and certain of our fidelity of heart, that not only he will recognize us as his faithful children and will furnish us all the necessary means and succor with which we can shake off the heavy burden, which is crushing us. And supported by such a monarch, what power in the future will dare to undertake to subjugate us!

It is then, sir, with all the affection and zeal, which we promise you, that we ask you to be willing to interest yourself in our grievances and speak in our favour. May the Heavens bring it about that by your intervention we may be able to attain that to which we aspire, which is nothing else than the happiness of seeing ourselves again all French. We have nothing to offer you

fidellité de coeur avec laquelle nous ne cesserons d'estre eternellement avec un très profond perspect.

Monsieur

Votre Humbles et obiessants servr

Aux Cahos 21 Sept. 1780

Signé F. Trottier — Philipe Gervay — A. Harmand — Lepage — B. Saucier — F. Saucier — Langlois — Chabot — J B Dubé — DuCharme — Gabriel Constant — Fr. Courier — J G Mercier les Personnes qui ont signé cy dessus l'ont fait au nom de tous les Habitants.

Endorsed: Declaration des Habitants du Cahokias à Mons: le Colonel Balme du Cahos 21 Sept. 1780.

recu le 4me Decr 1780.

LINCTOT TO G. R. CLARK, JULY 31, 1781.

Monsieur

Toujours retenû aux Illinois par Maladie, J'attend avec impatience le moment ou ma Santé pourra me permettre d'aller vous rejoindre et rendre un Compte exacte de ma mission et de mon Sejour en ces endroits.

Un nommé Clairmon deputé avec Six autres particuliers par le Commandant de Michilimakinac est arrivé a St. Louis chargé d'une Lettre adressée au habitans des Cahos pour les exciter a les recevoir et a se tenir sur la deffencive contre les Espagnols; Monsieur Don François Cruzat Lieutenant Colonel et Leiutenant Gouverneur a St Louis, aprés des recherches exactes au Sujet de Ces envoyés quil a fait arreter en arrivant et S'etant informé de la Lettre mentionné cy dessus S'en est emparé, et s'est ensuitte comporté dans cette affaire comme un homme entièrement voué au Service des Puissances Unies: Ne reconnoissant point de Maitres absolus aux Cahos que les Ameriquains Vainqueurs de cette partie, il n'a pas cru devoir rendre compte a d'autres qu'au Major Williams Ameriquain et employé pour les Etats dautant que cette affaire lui a paru purement Militaire, en consequence aprés lui

[1] *Dr. MSS.*, 51J75, original manuscript.

[2] See pp. 95, 555, 559. As is pointed out in the *Introduction*, p. cv., there is reason to believe that the Spanish commandant did not act in as good faith as this letter and the following

in hostage except the greatest fidelity of heart which we shall never cease having. With a very profound respect

Sir

your humble and obedient servants

At Cahokia September 21, 1780.

Signed:

F. Trottier, Philippe Gervais, A. Harmand, Lepage, B. Saucier, F. Saucier, Langlois, Chabot, J. B. Dubé, DuCharme, Gabriel Constant, Fr. Courier, J. G. Mercier. The persons who have signed hereabove have done so in the name of all the inhabitants.

Endorsed: Declaration of the Inhabitants of Cahokia to M. Colonel Balme. Cahokia September 21, 1780.

Received December 4, 1780.

LINCTOT TO G. R. CLARK, JULY 31, 1781.[1]

Sir:

Still detained in the Illinois by sickness, I am waiting with impatience the moment when my health will permit me to rejoin you and render a detailed account of my mission and of my sojourn in these parts.

A man named Clairmont, deputed with six other individuals by the commandant of Michillimackinac, has arrived at St. Louis, intrusted with a letter addressed to the inhabitants of Cahokia in order to move them to receive the messengers and to hold themselves on the defensive against the Spaniards.[2] Don François Cruzat, lieutenant colonel and lieutenant governor at St. Louis, after a minute examination in regard to these envoys, whom he caused to be arrested upon their arrival, and after being informed of the letter mentioned above, has taken possession thereof, and has, thereafter, acted in this affair as a man entirely devoted to the service of the united powers. Since he recognized as absolute masters at Cahokia only the Americans, conquerors of this region, he did not believe that it was his duty to render account to any one except Major Williams, an American and in the employ of the states, in as much as this affair appeared to him purely military.

one would make it appear. It seems almost incredible that both Linctot and Gratiot should be ignorant that, at the time they were writing, two of the British agents were in Cahokia by permission of the Spanish commandant.

avoir fait part de toutes Ses decouvertes il lui a envoyé copie exacte de la Susditte Lettre: cette conduitte prudente de la part de Monsieur De Cruzat na pas laissé d'occasionner des rumeurs, des propos indiscrets et dexciter une jalousie outrée dans plusieurs particuliers tant aux Cahos qu'au Kaskaskias qui tous en particulier pretendent etre absolus et les Seuls a qui lon doive rendre compte. Comme ceci pourroit occasionner de la mesintelligence et querelle entre les deux partiés, il seroit bon d'etablir en Ces endroits un Maitre et Savoir a qui se communiquer en affair d' Importance Sans etre obligé de Se commuiquer a une populace ignorante, emportée, indiscrette, et Souvent partagée dans ses opignons.

Par un exprés nous venons d'apprendre que le Florida a ete prise par les Espanols. Monsieur De Galvés, Gouverneur de la Nouvelle Orlean et qui Merite tous les éloges possibles par l'activité, intelligence et intrepidité quil a fait paroitre, S'est emparé de Pinsacola apres 10 jours de trancheé ouverte, Je vous envoye le detail de cette prise tel qu'on la envoyé a M^r^ De Cruzat Commandant en ce Poste Les Natchéz aprés avoir eté pris par le Meme Monsieur De Galvez en Son absence Se Sont revolté et pris les Armes contre les Espagnols quils en ont chassé ou fait prisonnier. Monsieur De Miro occupant la second rang a la Nouvelle Orlean les à reconquis de nouveaux. On ne Sait ce qui arrivera a M^r^ Bleomar auteur de cette Revolte et D'autres.

En attendant le plaisir de vous voir permettés moi de souhait a vos Armes tout le Succes possible et de me dire avec Respect

Monsieur Votre trés humble & trés
Obeissant Serviteur,
S^t^ Louis 31 Juillet 1781 Godefroy Linctot
Pour Le Service Public

GRATIOT TO G. R. CLARK, AUGUST 1, 1781.

Monsieur

Je profite de l'occasion que me procure M^r^. Linctot qui est icy malade, pour vous faire part des bonnes nouvelles que nous avons avons [*sic*] reçue par la prise de Pançacole que Monsieur De

[1] *Dr. MSS.*, 51J77, original manuscript.

Consequently, after having informed him of all his discoveries, he sent an exact copy of the aforesaid letter. This prudent conduct on the part of M. Cruzat has not failed to occasion murmurs and indiscreet talk and to excite unreasonable jealousy in several individuals both at Cahokia and Kaskaskia, all of whom privately claim to be absolute and the only ones to whom account should be rendered. Since this can cause misunderstanding and strife between the two parties, it would be well to appoint in these parts some one with power and knowledge to whom communications could be made in affairs of importance, so that it would not be necessary to make communications to a populace, ignorant, hot-headed, indiscreet, and often divided in its opinion.

By an express we have just learned that Florida has been captured by the Spaniards. M. de Galvez, governor of New Orleans, who deserves all possible praise on account of the activity intelligence and intrepidity, which he has shown, has possessed himself of Pensacola after ten days of open trenching. I am sending you the detail of this capture as it is reported to M. Cruzat, commandant of this post. The people of Natchez, after having been taken by the same M. de Galvez, have revolted in his absence and taken arms against the Spaniards, whom they have driven out or made prisoners. M. Miro, who has the second rank at New Orleans, has reconquered them. It is not known what will be done to M. Bleomar, author of this revolt and of others.

While awaiting the pleasure of seeing you, permit me to wish your arms all possible success and to call myself with respect,

Sir, your very humble and very obedient servant,

Godefroy Linctot.

St. Louis, July 31, 1781.

for the public service.

GRATIOT TO CLARK, AUGUST 1, 1781.[1]

Sir:

I profit by the opportunity which M. Linctot, who is sick, procures me to inform you of the good news, which we have received, of the capture of Pensacola, which M. de Galvez has subjected to the dominion of His Catholic Majesty. From the account which

Galvez Gouverneur de la Nouvelle Orlean a Soumise a l'obeissance de Sa Majesté Catholique, l'on peut dire par la Relation que nous avons Reçue icy que ce n'est qu'avec bien des difficultés et par une grande intrepidité de la part de ce General, S'il a conquis cette Ville et cette Province, ou il a eu le Malheur d'etre blessé en enfaisant le Siége mais par bonheur fort légerement; nous navons eû dans l'armeé de M^r^. De Galvez que trois cent hommes tué et blessé, mais dans celle des Anglois cinq cent ont resté mort sur le Champt de Bataille et treize cent fait prisonniers tous de troupes regleé; Jespere qu'aprés une prise aussi glorieuse pour les armes d'Espagne, et le desaventage des Anglois dans toute leurs expeditions, que bientot nous aurons une paix heureuse qui nous procurera l'abondance dont depuis longtems nous sommes privés.

Je ne sais cy vous aurés eté informé quil y a quelques tems, un Nommé Clairmon envoyé avec Six hommes par le Commandant de Michilimakinac avec une Lettre adressée aux habitans des Cahos et des Kaskaskias, par laquelle il les engagoient de lever des Compagnies de Milice qui Seroient payée par le Roy D'Angleterre afin de Sopposer a leurs Ennemis, Ses hommes etant heureusement arreté a S^t^ Louis Monsieur Don Francois Cruzat Lieutenant Colonel et Lieutenant Gouverneur en ce Village les a arreté, et a envoyé copie de la ditte Lettre au Major Williams; Sans cette prudence de la part de notre Commandant je ne Sais Comment les Habitans de votre rive en auroient agi, vous Savés ce qu'est un peuple sans chef et ou tout particuliers ce croit en droit d'agir en toute liberté et Selon Sa volonté, Je Sais Seulement qu'il y en à plusieurs qui ont temoigné du mecontentement de ce que M^r^ Cruzat ne leur remettoit pas une Lettre qui leurs avoient eté adressée, mais toute personnes qui pencerons un peu juste ne pourrons que l'en louér d'en avoir agi de la Sorte.

Depuis votre depart des Cahos l'année dernieré il m'est arrivé bien des évenemens, vous saurés qu'a present ja Suis resident a S^t^. Louis n'ayant pû resté plus longtems dans un village ou il regnoit cy peu d'union par la liberté efrenee qui y regnoit alors, je me reserve a la premiére entrevue a vous conter tous les desagremens que jy ai essuié, de plus depuis quelques tems jai eté taxcé par trois

we have received here, it can be said it is only with much difficulty and by great bravery on the part of this general that he has conquered this town and this province, where he has had the misfortune to be wounded, while conducting the seige, but fortunately very lightly. We had in the army of M. de Galvez only three hundred men wounded, but in that of the English five hundred remained dead on the battle field and thirteen hundred were made prisoners, all regular troops. I hope that after a capture so glorious for the arms of Spain and the disadvantage of the English in all their expeditions, that soon we shall have a favorable peace, which will procure for us the abundance of which we have need for so long.

I do not know if you have been informed that, some time ago, a man, named Clairmont was sent with six men by the commandant of Michillimackinac with a letter addressed to the inhabitants of Cahokia and Kaskaskia, by which he invited them to raise companies of militia, to be paid by the king of England, in order to make opposition to their enemies. Fortunately these men stopped at St. Louis and Don François Cruzat, lieutenant colonel and lieutenant governor in this village, arrested them and sent copies of the said letter to Major Williams. Without this prudence on the part of our commandant, I do not know how the inhabitants of your bank would have acted. You know what people are without a head and where every individual believes himself within his rights in acting with full liberty and according to his caprice. I know only that there are several who have shown discontent, because M. Cruzat did not send to them a letter which was addressed to them; but all persons who think a little justly can only praise him for having acted in such a manner.

Since your departure from Cahokia last year, many events have occurred. You know that at present I am residing at St. Louis, since I could not remain a longer time in a village where so little unity ruled on account of the unbridled liberty which reigned there. I am waiting for the opportunity of the first interview to recount to you all the annoyances which I have experienced; the more so because, some time ago, I was accused by three men of

hommes de traison, d'avoir envoyé Ma Berge au Secour de Nos ennemis, je vous prie Monsr. de vouloir bien écrire at rendre temoignage de ma conduitte a cette Occasion, jespere que Votre certificat pourra retablir mon honneur attaqueé et donner du pois a ma justification. [*Ms. illegible.*] le retablissement de Mr Linctot pour avoir le plaisir de vous voir et aller faire un tour du Côte de la Virginie.

Permettes moi de vous feliciter Sur votre avencement au Service des Etats Unis, j'espere que l'occasion de vous Signaler ne vous Manquerons pas, je Souhaitte que vos armes soyent victorieuse contre tous vos ennemis, et que lon vous voye par tout avec ce courage, cette prudence et Sagesse qui ne vous a jamais abandonée ce Sont les desirs de celui qui est avec respect Votre trés humble Serviteur Ch Gratiot

St Louis le 1e Aoust 1781

[*Addressed*] A Monsieur

Monsieur George Rogers Clark Ecuer Brigadié General des Armée des Etats Unis et Commandant en Chef du Departement de West A la Chûte

GIRARDIN TO SINCLAIR, NOVEMBER 3, 1781.

Monsieur,

Vous serez puttetre surpris du motiffe qui me fait prendre la liberté de vous ecrire cette present Lettre puisque Je n'ai dautre vue que de vous prevenir de ce qui se passe icy et des intentions de la plus grande partie des Habitans de cette Rives que vous pensé veritablement ou bons ameriquains ou bons Espagnolles bien qu'enterieurement ils ne soient, suivant ce que je puis voir ni lun ni lautre.

Vous en auriez été déja persuadé il i a meme longtemps si les personnes que vous aviez deputé pour negocier avec vous un Traitté de Commerce dans le Mississipy ou dependences des

[1] In March, 1780, Gratiot and Pepin, protected by trading permits from the Spanish commandant and Colonel Montgomery, started with a boatload of goods for Prairie du Chien, at that time in possession of the British. They were associated in the enterprise with Mr. Kay, of Michillimackinac. A few leagues above Cahokia they handed the boat over to a man named Cardinal, who conducted it to its destination where he and the crew were put in prison and the boat confiscated. On escaping, three of the crew sued Gratiot for wages, and made the above accusation against him. This was later withdrawn. The statement by Cardinal is in Can. Archives, B., 97, vol. ii., p. 536. See also Dillon, *Annals of St. Louis*, I., 209.

treason and of having sent my barge to the succor of our enemies. I pray you, sir, to consent to write and bear witness of my conduct on that occasion. I hope that your certificate will be able to re-establish my honor, which has been attacked and give weight to my justification.[1] [*MS. illegible*] the recovery of M. Linctot to have the pleasure of seeing you and going to make a tour of the Virginia coast.

Permit me to congratulate you on your promotion to the service of the United States. I hope that the opportunity to signalize yourself will not fail you; I hope that your arms will be victorious against all your enemies and that you may be seen everywhere with that courage, that prudence and wisdom, which has never failed you. These are the desires of one who is with respect your very humble servant, Charles Gratiot.

St. Louis, August 1, 1781.

Addressed To M. George Rogers Clark, Esquire
Brigadier General of the army of the United States[2] and Commander in Chief of the Department of the West. At the Falls.

GIRARDIN TO SINCLAIR, NOVEMBER 3, 1781.[3]

Sir:

You will be perhaps surprised at the motive which makes me take the liberty of writing to you this present letter, since I have no other than to inform you of what is taking place here and of the sentiments of the majority of the inhabitants of this bank, whom you think indeed are either good Americans or good Spaniards, although they are not all either one or the other, as I can see. You would have been long ago persuaded thereof, if the persons whom you sent to negotiate with us a treaty concerning trade on the Mississippi or in the dependencies of the Illinois [had exercised judgment].[4] The treaty would certainly have been accepted, seeing that it would procure for us the advantage of obtaining our necessities in merchandise all and singular, for which we would have given in payment either our peltries or commodities. But

[2] A mistake. Clark held this rank in the army of Virginia.

[3] Can. Archives, B., 98, p. 87, from a copy.

[4] See *supra* pp. 553 *et seq*.

islenois qui certainement auroit été accepté vue qu'il nous procuroit l'avantage de tirer nos besoins en Marchandise generallement quelconque pour laquelle nous avions donné en payement soit nos Pelleries ou Denrees. Mais souffrez que je vous dise que vos deputés si sont trop malprise pour esper la reussite de leurs voyages. Vue qu'ils ont arreté a St. Louis ou ils ne devoient pas, par les Espagnolles qui n'ont que de l'avarice mais trés peu de connoissance et naturellement ambitieux jaloux et mefiant quand il ne le faut pas, les ont arreté sans raisons, et nous n'avons pu les Ravoir qu'au Moyenne de bon Caution Domiciliés de ce lieu qui ont engagé la meilleure partie de leur bien leurs Corps meme pour les retirer, bien entendus qu'ils seroient garder a vue chez nous sans en pouvoir sortir sous quelque pretexte qui se peutetre sans le plein consentement des Commandants de l'une et l'autre partie. Ils auroient bien pu s'epagner cette Epocque qui nous fait un tort considerable a tous sils si etoient pris comme ils l'auroient pus faire, mais ayant vue moi même que c'a n'etoit qu'un etouderie que cette faut ne dependoit que du peut de Connoissance qu'ils ont pour des affaires d'un telle consequence, Je me suis chargé du soin de Monsieur Langlois qui s'est trouve icy sans nule resource auquel j'ai Procure au temps [*autant?*] qu'il a été en mon pouvoir le moyen de se retirer d'icy et c'est par luimême que j'ai l'honeur de vous adresser cette Lettre, qui vous informe de la bonne intentions des Habitans de ces Lieux. Je les crois disposés pour [?] mes persuader qu'ils ne seroient pas faché de se revoir dependant et sujet a la Domination Angloise. Les Besoins les y forcé absolument, ils ne peuvent plus tenir i s ont tous un Besoin urgent des marchandises et je pense qu'un pavillon angloise seroit bien recue chez nous si le parti n'etoit compris que de Blancs, sans qu'il y eut un seul sauvage avec eux, mais s'il y en avoit je douterois fort de l'enterpirse car tout le monde de tous les villages de ce continent sont determiné suivant les apparences a bien rendre leur vie plutot que de ce rendre a des barbares.

Les Commercants meme ne demanderont peut etre pas mieut qu'a tenter l'entreprise, le grand Profit qu'il pouroit faire dans la

suffer me to tell you that your deputies have made too many mistakes to expect success from their journey; for they stopped at St. Louis, which they should not have done, and the Spaniards, who have only avarice but very little knowledge and are naturally ambitious, jealous and defiant, when there is no need, have arrested them without cause; and we have been able to get them back only by means of offering bondsmen domiciled in this place, who have engaged the better part of their property and even their bodies to release them; and it was indeed agreed that they should be kept in sight among us and that they could not leave here under any pretext whatsoever without the full consent of the commandants of both places. They might have been able to be spared this period which caused a considerable wrong to us all, if they had gone at it in the way they might have done; but since I myself saw that it was only a heedless action and that this fault was the result of the little knowledge which they have for affairs of such consequence, I have taken on myself the care of M. Langlois who is here without any resources. I have procured for him, inasmuch as he has been in my care, the means of withdrawing from here; and it is by him that I have the honor of sending you this letter, which will inform you of the good sentiments of the inhabitants of these regions. I believe them so disposed that I am persuaded that they would not be offended at seeing themselves again dependent and subject to the English Government. Necessities have absolutely forced them to it; they can no longer hold out; they all have an urgent need of merchandise and I think that an English flag would be well received among us, if the party was composed only of whites without a single savage being with it; but if there was, I would be very doubtful of the success of the enterprise; for everybody in all the villages of this continent is determined, according to appearances, to give up his life rather than to surrender to the barbarians.

The merchants indeed will demand, perhaps, nothing better than to attempt the enterprise. The great profit which can be made in trade could compensate them doubly for the expense. As for myself, if you decide to make the expedition, I offer my

commerce les pouvoit de dommager doublement de leurs frais pour moi si vous trouvez juste d'en faire l'expedition Je m'offre en tout ce que je pourrais faire pour vue que je sois avertis par quelques personnes eclaire, quelque jour avant l'arrivée des parties ici, et j'ose me tenir fort de disposer tous les habitans a vous recevoir librement pour vue toutte fois qu'il n'y aye point de Sauvages mele dans votre Detachement, Je ne doutte pas qu'on ne nous accuse de Rebelles pour avoir sans resistance souffert l'entre des Ameriquains etre nous mais que peut faire un peuple abandonné que l'on aveugle par mille beaux discours dont nous sommes encore a voir les effets joignant a cela crainte de ne pouvoir trop vitte abuser de notre Credulité les menaces de nous nuire, si de bon Coeur nous ne consentions a leur faire un serment inviolable il nous a don fallut pour nous menager la proprieté de nos biens consentir a tout ce qu'ils ont voulus. Nous ne nous croirions de ne pas engager a rien, si nous nous relevions nous memes d'un serment que nous avons été obligé de faire.

Il est bon de vous observer Monsieur qu'il i aura quelques obstacles pour passer aux portes que les Espagnolles occupe mais j'ai lieu de croire qu'une fois entre che vous vous i trouverez tous les besoins de bouches qui vous seront necessaire pour en faire l'expedition. Je ne doute pas non plus qu'il ni en aye beaucoup de nous qui ne se joignant a vous meme de ceux qui dependent des Espagnolles qui comme nous reduit au plus pressant besoins de tous voudront rester neutre ou peutetre se mettre avant.

J'espere monsieur qu'en cas que mes speculations n'ayent aucuns Lieux et que vous ne veuillez tenter l'enterprise que ma Lettre ne sera point communiqué a personne afin de m'epargner ainsi qua celui qui ecrit cette Lettre les poursuittes que pourroit faire les ammériquains et les Espagnolles aux quelles poursuittes il ne vous serait pas peutetre aisé de nous sous traire.

Je suis Monsieur
en esperant votre protection
Votre tres humble et obeissant Serviteur
aux Chakokias 3 9^{bre} 1781 (signé) Antoine Girardin
Monsieur Sinclair, Gouverneur.

services in everything that I can do, provided that I am informed by some instructed persons a few days before the arrival of the parties here; and I dare to hold myself ready to prepare all the inhabitants to receive you freely, provided there should be no savages mingled in your detachment. I do not doubt that we are accused with being rebels for having suffered without resistance the entrance of the Americans among us; but what could a deserted people do, who were blinded by a thousand beautiful speeches, of which we are still to see the results, and there was joined therewith, for fear of the impossibility of so quickly deluding our credulity, threats of destruction, if we should not consent cheerfully to make to them an inviolable oath. It was for us a necessary gift, to consent to all they have desired, in order to procure for ourselves the security of our property. We would not believe ourselves in any way bound, if we should free ourselves of an oath which we have been forced to make.

It is well to call your attention, sir, that there will be some obstacles to pass at the posts which the Spaniards occupy, but I am right in believing that once entered into our villages, you will find there all the necessary provisions which you will need in order to make the expedition. I no longer doubt but that there would be many of us who would join themselves to you, even of those who are subject to the Spaniards, who, like ourselves, are reduced to the most pressing needs and will wish to remain neutral or perhaps to take an active part.

I hope, sir, that, in case my speculations should have no results and you should be unwilling to attempt the enterprise, my letter will not be communicated to any one, in order to spare me as well as him who writes this letter the prosecutions which the Americans and the Spaniards might make, from which prosecutions it would not be easy for you to screen us.

I am, sir, in the hope of your protection your very humble and obedient servant

At Cahokia November 3, 1781. (Signed) Antoine Girardin.

[*Addressed*] M. Sinclair,
Governor.

ORDINANCE OF THE COURT OF CAHOKIA, JUNE 11, 1783.

Lan Mil Sept Cent quatre vingt trois le onzieme jour du mois de juin En vertu de la Cour tenue cejourd'huy an nom du public, pour Deliberer Sur la quantité de terre qui reste a prendre Dans La Prairie du pond, propre pour le Culture, a Eté decidé par ladite Cour quil Soit fait une recapitulation de la quantité de sitoyen Leurs donnant la preference a tous autres, Et quansuitte il soit mentioné de la quantité de terre quil peut y avoir a prendre Sans faire tor au terrin quil convient de reserver pour la Commune Et En Suitte que lon fera passer laditte cloture Commune par derriere le terrin qui appartient a Joseph Mesonville, Et de la Joindre la Coulé des liar le long de laquelle passera Laditte Cloture, Jusqua la pointe a butau Et de la En gagnant La pointe de bois du Grand Cotau en Cas quil se trouve assé Dabitant pour prendre des terre jusque la, Et a Ce deffaut La Cloture arrettera a la fin des derniere terre Borné Et prise par les dits habitant, Et Sont Convenu En outre que Comme Lesdittes terres dans letendu quelles ont ne Sont pas aussi avantageuse Les une Comme Les autres, quil faut Des Billet qui Seront tiré au Sort, Et que chaq'un qui tirrera Son Billet, Sera forcé de faire Sa Cloture Suivant Son numero Cest a dire prendront lesdittes Clotures au bout de Celle des habitants qui ont deja [?] labourré Dans le Cul de Sac de la ditte prairie du pond. Conformement a leur quantité de terre, Et que toutes les autres qui reste Seront tiré au sort telle quil a Eté cy devant Expliquée Et que tant qu'au reste de la prairie Sur la Droitte de la ditte Coule des liar La ditte Cour au nom des habitant. cela Sont reservé pour le paiage de Leurs Animaux La Borne de chaque terres Courant Du mississipy au Cotte, et que Si par la Suitte il Se presentoit quel qu'autre habitant qui voulussent avoir des terres Et poursuivres plus loins, il Seront obligé de Suivre La Ligne Directe de la Cloture moyenant que le Cotté de la ditte Coulle des liar demeura toujour pour Comune aux animaux Et quaprés touttes Cloture de terre Faites Celle qui resteront Sera partagé En Comun a chaque habitant qui auront prix des terre dans laditte prairie

[1] Chi. Hist. Soc., *Cah. Rec.*, original manuscript Transcription by the editor.

ORDINANCE OF THE COURT OF CAHOKIA, JUNE 11, 1783.[1]

The year, 1783, the eleventh day of the month of June, in virtue of the Court, held this day in the name of the public to determine the amount of land which remains to be taken up in the Prairie du Pont, appropriate for cultivation,[2] it has been decided by the said Court that there be made a census of the citizens, giving them the preference over all others, and that, thereafter, there be set aside the amount of land, which can be taken up without encroaching on the ground which it has been agreed to reserve for the commons; and thereafter that the said common fence shall be made to pass behind the ground belonging to Joseph Maisonville and to join there the gully of limestone along which the said fence shall run up to Butau's point and from there running to the point of woods of the Big Hill, in case there are found sufficient inhabitants to take up the land as far as that; and if not, the fence shall stop at the end of the last land surveyed and taken up by the said inhabitants. And it has been furthermore agreed that, since some of the said lands are not as desirable in respect to area as others, there should be tickets which shall be drawn by lot, and that each who shall draw his ticket shall be compelled to make his fence in the order of his number; that is to say they shall begin the said fences at the end of that belonging to the inhabitants who have already cultivated land in the *cul de sac* of the said Prairie du Pont and build them according to the amount of their land; and that the other tickets which remain shall be drawn by lot in the manner it has been herebefore explained. And in regard to the rest of the prairie on the right of the said limestone gully, the said Court in the name of the inhabitants has reserved that for the pasturage of their animals, the limit of each land extending from the Mississippi to the bluffs, and, if hereafter there should present themselves other inhabitants who wish to have lands and to go on farther, they shall be obliged to follow the direct line of the fence, on condition that the side of the said limestone gully shall remain always a commons for the animals; and it has been decided that after all enclosures of land have been made, that which remains shall be divided

[2] See *supra* pp. 153, 159.

du pond Car ainsi a Eté Convenu Et accordé fait Et passé aux Cahos lan Et Jour que dessu Etant Signé

sa	sa
Antoine + Lamarche	L + Lebrun
marque	marque
sa	sa
Jos^{h} + Bellefeuil	fr + Courié
marque	marque
	pierre quenel

F Saucier Greffier

INHABITANTS OF CAHOKIA TO CONGRESS, NOVEMBER 10, 1784. Etrait du Regis du Greffe des Illinois En la Ville des Kaskaskias A L'HONORABLE CONGRES.

MESSIEURS—

Cest avec un Vray plaisir que nous habitant des Cahokias et des Villages d'alentoure, nous avons apris que par un acte de L'assemblée de la Virginie du 20 Janvier 1781. nous somes tombé Entierrement sous la Juridictions de Votre honorable Corps, dans L'esperance que nous somês que vous nous donneré les secours dont nous avons Besoin, et accorderez la Joüissance de nos Enciennes Loix, privilege et Coutume, et que comme sujet ameriquain nous jouirons des mêmes avantage que tous les autres habitant Jouissent; nous Etant la moyenne partie de nous autres porté Volontairement dans toutes les Entreprise qui se sont formé contre Lennemis Comuns; et même fort souvent Exposé nos familles a la brutalitée des Sauvages En nous Eloignant delle et nous Etant aussy privée du necessaire pour Contribuer a lEntretien des troupes qui on été Envoye parmis nous, et ces dans des tems que nos recolte ont tout a fait manqué, tant par les debordement du Mississipi que par les incurtion que faisoient les Sauvages sur nos terres, nous avons Enfin dans toutes les occassions montrée un vray Zelle pour la deffence de la libertée; cest pour quoi nous Esperons, Recevior Les Benefices de nos peines et que Vous aurez Egards aux demandes que nous faisont, et qui ne sont que trop Justes pour nous En faire douter la reussites.

among all the inhabitants who shall have taken up land in the said Prairie du Pont; for so it has been agreed and granted. Made and passed at Cahokia the year and day as above, there having signed,

his	his	his
Antoine + Lamarche	L. + Lebrun	Joseph + Bellefeuil
mark	mark	mark

Pierre Quenel.
F. Saucier, Clerk.

INHABITANTS OF CAHOKIA TO CONGRESS, NOVEMBER 10, 1784.[1]

Extract of the Registers of the Record-Office of the Illinois in the Town of Kaskaskia.[2]

To the Honorable Congress.

Sirs:—

It is with a true pleasure that we, the inhabitants of Cahokia and of the surrounding villages, have learned that by an act of the assembly of Virginia of the 20th of January, 1781, we have fallen entirely under the jurisdiction of your honorable body; for we hope that you will give us the assistance which we need, and grant us the enjoyment of our former laws, privileges and customs, and that as American subjects we shall enjoy the same advantages as the other inhabitants enjoy; for we have borne voluntarily our proportional share in all the enterprises, which have been formed against the common enemy, and even very often exposed our families to the brutality of savages by going far from them, and we have often been deprived of the necessities in order to contribute to the support of the troops who have been sent among us; and this at a

[1] *Papers of the Old Congress*, XLI., V., 115, a copy by the clerk of the Kaskaskia court. The transcripts from the *Papers of the Old Congress*, printed in this volume, were made under the direction of the staff of the Bureau of Hist. Research of Carnegie Institution, and were collated a second time by Dr. J. Franklin Jameson.

[2] The petition was drawn up by the inhabitants of Cahokia in 1784, but the copy which reached Congress was made by the Kaskaskia clerk, which accounts for certain peculiarities of spelling. Labuxiere, the clerk at Cahokia, who wrote the original petition, makes a final s which looks like a straight line, and this has been read by the clerk of Kaskaskia as the letter t. There are other errors which can be accounted for in a similar way, as, for instance, the spelling of the signatures. Also, the clerk of Kaskaskia has added a paragraph to make it appear that the Cahokians united with the Kaskaskians in denouncing John Dodge. The Cahokians intrusted the original petition to Major Lebrun, but he was killed before he reached the Ohio river. In 1786 the people of Kaskaskia sent a copy of it with a petition of their own to Congress. See *Introduction*, pp. cxxix., cxxx.

Premierement que Vous nous accordie le droit de Choisir parmie nous les personnes les plus Eclairés pour Magistrat qui jouront de leurs places quautant quil metriteront la Confiance du peuple, et que En Cas de mal Versation nous ayont aussy le même droit de les deplacer pour En nomer dautres, et que tous les habitants qui Viendront setablire parmis nous soient obliger de ce Conformé aux Loix qui sont deja Etablie et sous les quelles nous avons et Esperons Vivre En Paix.

2eme—Et que dans toutes les causses de consequence ou le bien etre de quelque particulier se trouveray tout a fait Engagé, nous ayons outre notre Judicature un Endroit ou nous puissions faire appelle des Sentence que un de ces particulier ne Croiroit pas avoir été Entendue suivant toute la Justice quil avoit lieu dattendre, mais que le nombre de ces Causses soient reduite a celle que vous croiré absolument necessaire pour le bien aitre de Lendroit et que les places des forts ne soient àliener à aucun particulier, comme actuellement Ledit sieur John Dodge posede une place dun fort et que les terraces sont toutes faites depuis le tems que le Roy de france posedoit la Collonie des Illinois qui est la deffence du Vilage de la Ville des Kaskaskias.

3eme—Dans lEsperence que nous sommes quune fois le Bon ordre Etablie parmis nous, devoir Venir tous les habitant qui Ennuyer de ce Voir Exposé a toute Sortes de danger se sont Retiré sur la partie Espagnolle outre cela les avantage qu'offre la fertilité de nos terres a ceux qui y Viendront cy Etablir nous Soiterionts que vous Voulusies bien Enpecher Labus qui ce fait generalement dans tous les nouveaux pays ou il se trouve toujour quelque particulier qui font des achats de quantité de terrin sur les quelles ils nont aucun intantion de setablir que celle de les Garder quelque année pour Ensuite les revendre a des prix Exhorbitant.

4eme—Ayant lieu dattendre que Vous nous Enverrez des troupes dont nous avons besoins pour la surté et la police de lendroit nous Esperont que Vous Voudré bien pourvoire a ce que nous ne soiont plus Exposé au même desordre et irregularité que nous avons

[1] An addition to the original petition made by the Kaskaskians.

time that our crops have completely failed both on account of the overflow of the Mississippi and the incursions which the savages made on our lands. Finally we have shown on all occasions a true zeal in the defence of liberty. This is why we hope to receive the advantages of our labors and that you will give heed to the petitions which we make and which are only too just to cause us doubt of their success.

Firstly, we pray that you grant us the right of choosing from among ourselves the most enlightened persons for magistrates, who shall hold their places as long as they merit the confidence of the people, and that in case of malversation we have also the same right of displacing them in order to name others; and that all the persons who shall come to settle among us be obliged to conform themselves to the laws which are already established and under which we have and hope to live in peace.

Secondly, we pray that, for all the important suits in which the well-being of some individual shall be entirely at stake, we have, besides our judicature, a place to which we can make appeal from the judgments when one of these individuals believes that he has not been heard according to the full justice, which he had the right to expect; that the number of these suits be reduced to that which you shall believe absolutely necessary for the well-being of the place; and that the sites of the forts be not alienated to any individual, as now the said M. John Dodge possesses a site of a fort, the earth-works of which have been all built since the time when the king of France possessed the colony of the Illinois and which are the defence of the village of the town of Kaskaskia.[1]

Thirdly, on account of the hope, which we have, that once good order is established among us, there are bound to come back all the inhabitants who, wearied with seeing themselves exposed to all kinds of danger, have withdrawn to the Spanish parts, and furthermore on account of the advantages which the fertility of our lands offers to those who shall come here to settle, we desire that you will hinder the abuse which generally occurs in all new countries, where there are always some individuals who make purchases of large tracts of land on which they have no intention of settling,

deja Essuiez d'elle, quil ne soiet plus aux pouvoir du Comandant de cette troupe de prendre par force chez labitant ce quil croira avoir besoin que cette effet vous Voulissiez bien autorisé un quelquun pour regler les Enciens Compte de ce que les habitant ont déja fournie, et que cette même personne ou un autre soient aussy a même de satisfaire soit En argent ou billet de Credit les habitant quil lui fourniront des provisionts pour la troupe et quen cas quil Vienent a manquer de quelque necessaire que Lofficier comandant soient obliger davoir recour aux Magistrat de L'endroit qui se serviront des moyens les plus prond et les plus satisfesant aux particuliers pour leurs [procurer] ce quils auroient besoint.

5eme—Comme ayant parmis nous differentes personnes qui par les Correspondances qu'il Entretiennes avec les sujets du Roy d'anglettere dans [*tant?*] du Cotte de Michilimakina et du detroit et autre places aux prejudice de notre comerce ainsy qu'une Bende de mauvais sujet qui sasemble et tienne des discours avec les sujet du Roy d'anglettere contre les Etats unies et qui insinue dans les Esprits foible que le Roy d'anglettere prendra possetion de cette Colonie c'est ce qui met le trouble parmie les nations Sauvages et nous Expose Journellement dans le perille et Lorsque Voyant une Justice Etablie Enpecheroit tous les cabales de sa troupie nous Eviteroit tous dangers.

6eme—Pour dernier demande que nous regardont comme Grace special, nous Esperont que le Congré aura Egards que depuis plusieurs années consequitive nous avons Etée Exposé a manquer de tous necessaire tant par le debordement que le Misissipy a fait sur les terres que nous avions conjointement choisy et que par l'inquietude que nous a toujours caussé les nations Sauvages qui nous ont obliger a abandoner les Etablissement que nous avions deja faite ce que nous oblige de vivre tres retirées nous Esperont que vous voudre Bien nous accorder quel qu'année frenche de taxe pour nous remettre dans un Etat a pouvoir vivre et soutenir notre famelle, et que lors que nous seront obliger dans payer Vous nous accordier le droit Entre nous des personnes qui prennent

[1] The meaning is not clear, since the paragraph was not finished.

but that of holding them some years in order to sell them afterwards at an exorbitant price.

Fourthly, since we have reason to expect that you will send troops, of whom we have need for the safety and the police of the place, we hope that you will provide for this, that we are no longer exposed to the same disorder and irregularity that we have already suffered from them; that it be no longer in the power of the commander of these troops to take by force from the houses of the inhabitants what he shall believe he has need of; that for this purpose you will authorize some one to settle the old accounts for the supplies which the inhabitants have already furnished, and that this same person or another be also authorized to satisfy either in gold or credit-notes the inhabitants who shall furnish him provisions for the troops; and that in case he happens to lack any necessity, the officer in command be obliged to have recourse to the magistrates of the place, who shall use the most prompt means and the most satisfactory to the individuals to obtain for him what he needs.

Fifthly, since we have among us several persons who through the correspondence which they keep up with the subjects of the king of England both from Michillimackinac and Detroit and other places to the prejudice of our commerce; and also a band of worthless fellows who assemble with the subjects of the king of England and make speeches against the United States and who are instilling into the minds of the feeble spirits the belief that the king of England will take possession of this colony, that is what makes the trouble among the savage tribes and exposes us daily to peril; and when a justice is seen to be established, it would prevent all the intrigues and by its troops spare us all danger.[1]

Sixthly, for a last petition, which we regard as a special grace, we hope that Congress will consider that for several consecutive years we have suffered from a lack of all necessities both on account of the inundation of the Mississippi on the lands which we have conjointly chosen and because of the disturbance which has been caused by the savage tribes, who have obliged us to abandon the settlements which we have already made,a fact which compels

connoissance de ce qu'un chaqu'un possede pouront avec plus dequitter juger de ce que chaque particulier Doit payer nous avont esperer que nos demande Vous pareteront Juste pour doutter d'un seule moment que Vous ne nous les acordier pas.

Mr Le Major Le Brun de Belle Court. porteure de la presente cera a même de vous donner un Etat sirconstencier de notre Situation actuelle et nous nous reposont Entierrement que Vous Voudré bien Ecouter nos demandes et nous somes tres Respectueusements

MESSIEURS

Vos tres humbles et
tres obeissants les
Supliants soussignés

aux Cakokias aux Illinois
ce 10 9 bre—1784

Signé sur la minutte

	Jean Bte. LaCroix:	Dubuque
C alarie A: Pelletier	fr Courrier:	S. LeCompte: Bray
A: armant dupuis	P. Martin:	J. Jervais: P. roy
J. Cecire chenier	C. Lefevre:	S. Pillet: S. lebrun
J Bte Dumay	J Bissonette	Pl: Poupart
Charle Cadron	f. Gramont:	Bte Baron
P: Chevallier	P: Daurion:	Bte alarie. A: Beron
A. Jerardin		
R. Waus [*Watts?*]	E. Bouvet:	A. Lamarche.
aimé Compte	J. Roussard	Bte Saussier
La Bruyer	M: Saussier:	f: Saussier
J. Marois	S: Chatelle.	Bte Merier
Germain	A. Boyer.	J. BelleCourt
gagner		

N. Canada thimoté de Montbrun Comandant

ORDINANCE OF THE MAGISTRATES OF CAHOKIA, AUGUST 28, 1785.

Nous Antoine Girardin Commandant au poste des Cahos Et Jean Bte LaCroix president et magistrat au district dudt poste. Etant necessaire de remedier au Brigendage Et vol qui se Com-

[1] Chi. Hist. Soc., *Cah. Rec.*, original manuscript. Transcription by the editor.

us to live very secludedly; and therefore we hope that you will grant us freedom from taxation for some years so that we may put ourselves in a condition to be able to live and support our families; and that when we are obliged to pay taxes, you will grant us the right [of choosing] from among ourselves persons who know what each possesses and can with more equity judge what each individual ought to pay. We hope that our petitions will appear to you so just that there will be no doubt for a single moment of your granting them to us.

Major Lebrun de Belcour, bearer of the present, will be able to give you a circumstantial statement of our present condition; and we fully trust that you will listen to our petitions and we are very respectfully,

Sirs,

Your very humble and obedient petitioners, undersigned.

At Cahokia in the Illinois, this 10th of November, 1784.

Signed on the record

Jean Bte. LaCroix. Dubuque.

C. Alarie. A. Pelletier. Fr. Courier. L. Lecomte. Brady. [?]
A. Harmand. Dupuis. P. Martin. J. Gervais. P. Roy.
J. Cesirre. Chenier. C. Lefevre. L. Pillet. L. Lebrun.
J. Bte. Dumay. J. Bissonette. P. Poupar.
Charles Cadron. F. Grandmont. Bte. Baron.
P. Chevalier. P. Dorion. Bte. Alarie. A. Baron.
A. Girardin. E. Bouvet. A. Lamarche.
R. Watts [?] J. Roussard. Bte. Saucier.
Aimé Compte. M. Saucier. F. Saucier.
Labruyer. L. Chatel. Bte. Mercier.
J. Marois. A. Boyer. J. Belcour.
Germain. N. Canada.
Gagné. Thimothe de Monbreun, Commandant.

ORDINANCE OF THE MAGISTRATES OF CAHOKIA, AUGUST 28, 1785.[1]

We, Antoine Girardin, Commandant at the post of Cahokia, and Jean Bte. LaCroix, President and Magistrate in the district of the said post:

Since it is necessary to remedy the brigandage and theft, which

metent tant de Nuit que de jour dans les champs Ensemancés et cultives en Bled froment, Mahis, Poids, feves, citrouilles melons et autres legumes, ainsi que dans les verger ou jardins, ou ces memes voleurs desolent et Ruinent entierement le travail et Labeurs des Bons Citoyens qui Se donnent toutes les peines pour avoir leurs subsistances et jouir du fruit de leurs travaux, Etant indispensable d'arreter le cour dun desordre aussi pernicieux au bien public il est tres expressement deffendû a toutes personnes de telle qualité que ce puisse etre Soit habitant leurs femmes ou enfant et esclaves Aux voluntaires, gabans, gens sans aveû ou autres, dentrer dans Les champs Ensemances de grains ou legumes, qui ne leur apartiendron pas ainsi que dans les vergers ou jardins et dy voler ny prendre aucune chose que ce puisse etre a peine de Cent livres demande aplicable moitie au bien public de lautre moitie au denonciateur; d'etre mis huit jours aux fers et promené dans le village des Cahos avec Les marques de leur vol pendu au Col pour la premiere fois; Et de plus grands Chatiments En cas de residive. il est aussi trés expressement deffendû de passer a traver les terres Ensemancées Siot a chaval ou en charete, ordonnons de suivre les chemins de ligne a peine de cinquante livres damande contre ceux qui contreviendront a la presente ordonnance Et de payer le domage, Ce qui Sera Executé Sans moderation Et la presente sera lue et affichee a la porte de cette Eglise Et Enregistré au greffe pour y avoir recour, aux cahos le 28 aoust 1785.

J. B H LaCroix presidant

At Girardin Labuxiere grefier

PETITION OF LA CROIX IN REGARD TO TRADE, OCTOBER 29, 1785.

A Messieurs Les Magistrats Et respectable Cour du district des Cahos

Messieurs

Jean B^te^ LaCroix a lhonneur de vous exposer que pour le Bien public la Cour luy a accordé le 8. de Mars 1782 la permission de la traite avec les sauvages dans ce village aux conditions Expliquées dans la Sentence de ladite Cour rendue cedit jour 8. mars

[1] Possibly "*gabans*" is a corruption of *vagabonds*.

are committed as well by night as by day in the fields, sown and cultivated in wheat, corn, peas, beans, pumpkins, melons and other vegetables and also in the orchards or gardens, where these same thieves spoil and ruin utterly the work and labor of the good citizens who give all their toil to have their subsistence and to enjoy the fruit of their labor; since it is indispensable to stay the course of a disorder so pernicious to the public welfare, it is very expressly forbidden all persons of what quality soever whether inhabitants, their wives or wayward children and slaves, vagabonds,[1] vagrants or others, to enter the fields, sown with grains or vegetables, which do not belong to them, and also the orchards and gardens and to steal or take anything whatsoever there, on pain of one hundred *livres* fine, payable half to the public treasury and the other half to the informer, and of being put in irons for eight days and led about in the village of Cahokia with the marks of their theft hung around their neck, for the first offence, and of greater punishment in case of repetition. It is also very expressly forbidden to pass across the sown fields either on horseback or in a wagon. We command that the line of the roads be followed on pain of fifty *livres* fine against those who shall violate the present ordinance and of paying for the damage, for which there will be execution without mitigation. And the present shall be read and posted on the door of this church and registered in the record-office in order that there may be recourse thereto. At Cahokia, August 28, 1785.

J. B. H. LaCroix, President.

Ant. Girardin. Labuxiere, Clerk.

PETITION OF LA CROIX IN REGARD TO TRADE, OCTOBER 29, 1785.[2]

To MM. the Magistrates and the honorable Court of the District of Cahokia.

Sirs:—

Jean Bte. LaCroix has the honor to set forth to you that, for the public good, the Court granted him on the 8th of March, 1782, permission to trade with the savages in this village under the conditions declared in the decree of the said Court, rendered the said

[2] Chi. Hist. Soc., *Cah. Rec.*, original manuscript, somewhat damaged by folding. Transcription by the editor.

1782. ledt S^r LaCroix na point Eté troublé jusqua present dans Sa traite mais presentement il se trouve [en] Cas au prejudice Notable du public Et de Lexposant qui tend a faire perir Les Citoyens de faim sur tout dans d'aussi grandes Calamité comme nous nous trouvous presentement.

Les commerceans Etranger de missilimakina Sont icy Messieurs qui Bien loin de Se Contanter de Lazile que nous leur donnons pour vendre leurs marchandises aux francais traitent des Sauvages qui viennent a ce vilage toutes les douceurs que lesd^t sauvages aportent Et nous otent par ce moyens les faculté de pouvoir vivre En nous survandant ces memes danrées de traite a des prix Exhorbitant Et En En faisant des amas au detriment du peuple p^r le transporter hor de Lendroit ou Le vendre a des prix plus honereux au public comme ces commerceants nont aucun droit de traite dans ce village Et que si nous avons quelque douceur a traiter des sauvages . .[*MS. torn*]. . Benefice Nous apartient de droit Et non a des Etranger que nous soufr[ons] icy par Bienseance ayant Eté renvoyez de la rive Espagnole il nest pas juste de Nous laisser Enlever par ces memes marchand a nos yeux ce que la providence nous offre par les sauvages; ce qui ces marchands traitent non Seulement des marchandises a Nos yeux jusques sur nos foyer mais Encore ce qui est plus pernici[eux] de la boisson Et soutent les sauvages dans un temp ou on ne sauroit Etre trop Circonspect; pour Eviter [les] malheurs qui En peuvent resulter je requiere Messieurs que vous ayez la bonté de me Continuer dans ma traite Et quil soit fait deffance a tous Commerceants Etranger de Sy immisser a lavenir dans ce village ni dy traiter aucunne Chose avec les sauvages qui y viennent a peine dune amende telle quil vous plaira fixer Et de Confiscation de ce quils auront traiter sous loffre que fait lexposant de Se Conformer aux Conditions de la Sentence de la Cour dud^t jour 8. mars 1782. Et que cette Branche de Commerce nous Soit Conservée dans notre village . .[*MS torn*]. . aux Etrangers cest a quoy je Conclud aux Cahos le 29, 8^bre 1785.

J. B. H. LaCroix.

[1] See *supra* pp. 125, 213.

[2] The great flood of 1785.

day, March 8, 1782.[1] The said M. LaCroix has not been troubled up to the present in his trading; but now he is in a position very prejudicial to the public and to the petitioner and which tends to cause the citizens to perish from hunger, especially at a time of such great calamity as we find ourselves in at present.[2]

The alien merchants of Michillimackinac, gentlemen, are here and, far from contenting themselves with the asylum which we give them to sell their merchandise to the French, they are trading with the savages, who come to this village, for all the goods which the said savages bring and are taking from us in this way the means of making a living, since they overcharge us for these same commodities of trade at exorbitant prices; and to the detriment of the people they are making hords of the goods in order to transport them out of the place or to sell them at prices most burdensome to the public. Since these merchants have no right of trade in this village and since, if we have some goods to trade with the Indians, [this] advantage should belong to us and not to strangers; and since we suffer them here for convenience, after having been sent away from the Spanish bank, it is not just in us to permit these traders to carry off before our eyes what Providence offers us through the savages. But these traders are trading before our eyes and up to our very doors not only in merchandise but also in what is more pernicious, drink, and are favoring the savages at a time when one cannot be too careful. In order to avoid the evils which may result therefrom, I pray, gentlemen, that you have the goodness to continue me in my trading right and that all alien merchants for the future be forbidden to participate therein in this village or to trade in anything with the savages who come here, on pain of a fine, such as it shall please you to fix, and of confiscation of that for which they shall have traded; and in return the petitioner offers to conform to the conditions of the decree of the Court of the said 8th of March, 1782, so that this branch of commerce be preserved for us in our village [and not pass] to aliens; and this is my conclusion. At Cahokia October 29, 1785. J. B. H. LaCroix.

In view of the decree rendered by the Court of the district March 8, 1782, by which the said Court granted the right of trade

Veu la Sentence Rendue par la Cour du district le 8. mars 1782 par laquelle ladite Cour a accordé la traite des sauvages aud^{t} S^{r} jean B^{te} LaCroix lequel a toujours Exercé ladite traite Sans aucun Reproche ni plainte de personne cest pourquoy la Cour assemblée a decidé Et decide par la presente sentence que led^{t} S^{r} LaCroix Sera continué dans ladite traite Exclusivement a tous autres pour le Bien public de ce poste Et Sera libre de traiter Laudevie aux sauvages a la reserve neantmoins Et Cas trés expressement reservé quil ne poura delivrer laudevie aux sauvages que lors quil partiront de ce de ce [*sic*] village de facon quil ne Boivent point aud^{t} village Et quil nen resulte aucun domage Et Sera donné une personne de Confiance par la Cour pour veiller a ce que led^{t} S^{r} LaCroix ne leur donne point a boire Et jusques a ce que les sauvages soit Conduit avec leurs Boisson a une lieues hors de ce village. Et led^{t} S^{r} LaCroix se Conformera a toutes les Conditions expliquées En la Sentence de permission du 8. mars 1782 Envers le public deffandons trés expressement a tous commerceants anglais Etrangers Residants depuis peû En ce poste qui nont point de Sermant de fidelité aux Etats la traite de Lau devie sous tel pretexte que ce soit a peine de Cent livres demande Et de plus grande peine En Cas de residive nenten . .[*MS. torn*]. . Neantmoins desroger au Commerce libre des marchands Etranger pour la traite Et de . .[*MS. torn*]. . des marchandises . .[*MS. torn*]. . et la Cour se reserve En cas de prejudice au public de reformer la presente permission accordée aud^{t} S^{r} LaCroix dont elle prendra Connoissance En tems et lieux si les Cas La requiere Et le Continuons dans son privilege jusqua Revocation expresse de Notre part deffendons a qui que ce soit de Le troubler, ni inquieter Et la Presente Sera lu publicé et affiché demain dimanche a la porte de cette Eglise a lissue de la messe dimanche donné par nous La Cour seant par M^{rs} j B^{te} du Buque Charle ducharme fr. Courier. Et thom Bredy ce dernier na voulu signer Et les autres ont signé Et aprouvé par m^{r} trotier commandant Le 29 8^{bre} 1785.

[*Signed*]

Ch DuCharme	B Dubuque	marque de fr courie
J B H LaCroix		magistrat +

with the savages to the said Jean Bte. LaCroix, who has always exercised the said right of trade without any reproach or complaint from any one, for which reason the Court in assembly has decided and does decide by the present decree that the said M. LaCroix shall be continued in the said trading privilege, exclusive of all others, for the public good of this post; and he shall be free to trade in liquor with the savages with this reservation and condition, nevertheless, expressly reserved, namely that he can only deliver liquor to the savages when they shall set out from this village and so that they do not drink in the said village and there results no damage therefrom; and there shall be appointed by the Court a trustworthy person to see to it that the said M. LaCroix does not give them anything to drink and that the savages with their drink are conducted to the limits outside of the village. And the said LaCroix shall conform to all the conditions declared in the decree of permission March 8, 1782. In regard to the public, we forbid very expressly all English merchants, who are alien residents for a short time in this post and have not taken the oath of fidelity to the states, the trade in liquor under any pretext whatsoever on pain of one hundred *livres* fine and of greater punishment in case of repetition, not [intending], however, to detract from the free commerce of the alien traders for the trade and [*Mss. torn*] of merchandise [*Mss. torn*]. And the Court reserves to itself, in case of prejudice to the public, to change the present permission granted to the said M. LaCroix, of which it will take cognizance in time and place, if the case requires it; and we continue him in his privilege until express revocation on our part. We forbid any one whomsoever to trouble or disturb him. And the present shall be read, published and posted tomorrow, Sunday, on the door of this church at the close of mass. Given by us, the court in session, J. Bte. Dubuque, Charles DuCharme, Fr. Courier and Tom Brady; the last has not wished to sign and the others have signed; and it was approved by M. Trottier October 29, 1785.

[*Signed*] Ch. DuCharme. B. Dubuque
J. B. H. LaCroix. Mark of Fr. Courier
Magistrate.

Veu et aprouvée par moi major commandant
fr. trottier
a que Cette Condissionte Labuxiere greffier
Le present Privilege Ennullé par la Sentence de ce jour sur les registres des audiences aux cahos le 12 9^{bre} 1788
Labuxiere grefier

INHABITANTS OF CAHOKIA TO CONGRESS, JULY 15, 1786.

Messieurs des Etats unis de L'amerique tenant Le Congré.

Messieurs:

C'est avec la plus sensible peine que les habitants des cahos aux Ilinois se trouvent reduit a vous porter les justes plaintes et vous demander vôtre protection contre entreprises que M^{r}. Dorsey pentacoste veut former sur terres aux cahos et les desposseder d'un Bien qui leu[r] apartient legitimement et dont ils sont en pocession eu[x] et leurs peres depuis prés dun Ciecle.

La prairie du pont a apartenu de tous tems aux habitants, tant pour la cultiver sil en avoit Besoin q[ue] pour servir de Communs a leurs Bestiaux sans laquelle il leur seroit impossible d'En Elever d'aucune especе.

Le S^{r}. Gibault curé desservant la cure des Caskakias a 20 lieues de notre village s'est arrogé le pouvoir secret d'ozer disposer de cette prairie En la Concedant a M^{r} Le Colonel Clark qui a revendû cette meme concession a M^{r} Pentecoste qui aujourdhuy veut s'en emparer et en deposseder les habitants

il n'a jamais êté au pouvoir d'aucun Eclesistique des ilinois de disposer du Bien des Sujets. les loix ni leur Etat ne leur ont jamais donné un pouvoir si arbitraire, Bien loin d'y avoir eû aucunme authorité ni droit, leur devoir a Eté restraint a dire la messe et a recevoir la retribution qui leur revenoit pour y celebrer le service divin Et jamais les pretres de ces Endroits N'ont eû la permission ni le privilege de donner des concessions. ce privilege n'a anciennement apartenû qu'aux Commandants Et

[1] *Papers of the Old Congress*, lxviii., 37. Original manuscript.

[2] The concession was made by Father Gibault to Stephen Trigg, one of Clark's officers, on April 21, 1779, and transferred by the latter to Clark on May 6 of the same year. Both deeds were registered at Kaskaskia instead of at Cahokia.—*Kas. Rec., Court Record.* The

Seen and approved by me, Major Commandant,
Fr. Trottier
a que cette Condissionte [?] Labuxiere, Clerk.

The present privilege annulled by the decree of this day entered on the registers of the audiences at Cahokia, November 12, 1788. Labuxiere, Clerk.

INHABITANTS OF CAHOKIA TO CONGRESS, JULY 15, 1786.[1]

Gentlemen of the United States of America holding Congress. Sirs:—

It is with the deepest pain that the inhabitants of Cahokia find themselves compelled to bring their just complaints to you and to demand your protection against projects which M. Dorsey Pentecoste is devising with respect to lands at Cahokia and by which he would dispossess them of property which belongs to them legally and of which they have been in possession, themselves and their fathers, since almost a century.

The Prairie du Pont has belonged from all time to the inhabitants, both for the purpose of cultivating it, if there was need thereof, or to serve for commons for their animals, without which commons it would have been impossible to raise any kind of animals.

M. Gibault, *curé*, serving the parish of Kaskaskia 20 leagues from our village, has dared to arrogate secretly the power of disposing of this prairie by conceding it to Colonel Clark, who has resold this same concession to M. Pentecoste, who to-day wishes to take possession and dispossess the inhabitants thereof.[2]

It has never been in the power of any ecclesiastic of the Illinois to dispose of the property of the subjects. Neither the laws nor their state have ever given them a power so arbitrary. So far from having had therein any authority or right, their duty has been limited to saying the mass and to receiving the remuneration which accrues to them for celebrating divine service; and never have the priests had the permission or the privilege of giving concessions. This privilege has formerly belonged to the com-

land commissioners of the U. S. disallowed Pentecoste's claim, because Father Gibault had no authority to alienate the lands of the church, and was expressly prohibited from doing so. —*Amer. State Pap., Pub. Lands*, ii., 139.

commissaire des lieux lors qu'ils y etoient authorizés par le Souverain Et jamais aucun prêtre ne s est immiscé ni n'a ozé prendre une pareille authorité.

Le S[r] Gibault sachant quil navoit aucun droit ni pouvoir de concedder, mais pour se faire un merite Et tromper la bonne foy de M[r] Clark luy a fait cette consession frauduleuse Et contre la bonne foy publique. aussi en a-t-il gardé le silence Et bien [*rien?*] n'est venû a la Connoissance des habitans jusqua ce jour, dans la Crainte quil avoit sans doute quils ne luy fassent la honte Et la confusion d'avoir trompé Mr. Clark Et En meme temps voulû s'il avoit êté En son pouvoir deposseder les dits habitants de leurs Biens par une concession aussi vaine que tenebreuse qu'il a donné secretement au Mr. Clark En voulant le persuader de son faux pouvoir.

que deviendroient les citoyens de cette partie si des tromperies aussi manifestes et aussi scandaleuses avoient lieu ou seroit la sureté publique des Biens de chaque famille. il ny en auroit plus aucunne et le proprietaire ne pouroit pas sassurer d'etre tranquille sur son propre foyer. cette Liberté si chere N'en seroit que lombre.

c'est pour prevenir de si mauvais dessein Et arreter le Cour des Entreprises que le S[r] pentecoste veut former sur nos Biens fondé sur ce vain titre ou dautres quil auroit pû surprendre et obtenir de Nos Siegneurs du Congré a nous honereuses et prejudiciables que nous prenons la Liberté de Nous adresser Nos seigneurs Et Souverains a votre tribunal, pour vous suplier de regarder la Concession donnée par led[t] S[r] gibault comme une tromperie manifeste donnée par un homme non titré a ce sujet Et qui na jamais eu aucun pouvoir sur nos Biens la declarer nule Et abuzive, Renvoyer M[r] pentecoste a se pourvoir contre M[r] Le Colonel Clark Et ce dernier contre Gibault qui sera tenu de nous Exiber ses pouvoirs En vertu des quels il veut nous despoceder de nos Biens Et terres Et des quels nous sommes En pocession depuis letablissement des cahos qui passe plus de 80, ans: pocessions que ces predecesseurs et meme les anciens commandants ont toujours respectées.

mandants and the commissaries of the places, when they were authorized thereto by the sovereign; and never has any priest interfered or dared to assume such an authority.

M. Gibault, knowing that he had no right nor authority to make the concession, but in order to make a merit and to deceive the good faith of M. Clark, has made this concession fraudulently and against the public good faith. Also he has kept silent about it (and it didn't come to the knowledge of the inhabitants until this day) on account of the fear, which he undoubtedly had, that they would disgrace and confuse him with having deceived M. Clark; and, at the same time, he wished, if it had been in his power, to dispossess the said inhabitants of their property by a concession as vain as underhanded, which he had given secretly to M. Clark, because he wished to pursuade him of his false power.

What would become of the citizens of this part, if trickeries, so manifest and so scandalous, were allowed; and where would be the public surety of property? There would no longer be any; and no proprietor could be assured of being undisturbed in his own home. This liberty, so dear, would be only its shadow.

It is to anticipate so evil a purpose and to stop the course of the attempts which M. Pentecoste wishes to make on our property, which attempts rest on such a vain title, or to stop other concessions, burdensome and prejudicial to us, which he may undertake to obtain from our lords of Congress, that we take the liberty, our Lords and Sovereigns, of addressing your tribunal, in order to pray you to regard the concession, made by the said M. Gibault, as a manifest fraud and as given by a man not empowered in this matter and who has never had power over our property; and to declare it null and improper and to dismiss M. Pentecoste to plead against Colonel Clark and this latter against Gibault, who shall be held to show us his powers, by virtue of which he wishes to dispossess us of our property and lands, which we have possessed since the establishment of Cahokia, which is more than eighty years; possessions which his predecessors and even the former commandants have always respected.

We dare to hope, sirs, that you will set aside and annul all

Nous ozons esperer Messieurs que vous voudrés Bien casser et Ennuler toutes autres concessions au permissions que le S^r^ pentecoste auroit pû obtenir de vous tendentes anous desposseder de nos pocessions et quil ne pouroit obtenir plus grande quantité de terres que celles que la Cour de ce district luy accordera aux Endroit qui ne seront pas Etablis Et qui jusqua present nont pas Eté pris par personne, cette quantité ne pouvant excedder dix arpents de large sur la Superficie de quatre Cent quarante arpents, laquelle quantité de terre lui sera donnée aux Endroits qui ne seront prejudicia[ble] a personne.

ci inclus Nos Seigneurs vous trouverés la Copie de la procuration que le chapitre de Canada a Envoyé au S^r^ gibault dont l'original est deposé au greffe du district des cahos, par laquelle procuration vous verés que le S^r^ Gibault n'a pû ny du le demembrer ny Conceder aucunne partie ni portion des terres et Bien de la mission des Cahos sans lexprés consentement des habitants dud^t^ lieu a qui tous ces Biens sont transmis pour lEntretien de Ladite mission ou prestre que lesdits habitants voudront y Etablir. Et que par concequant le S^r^ gibault n'ayant jamais desservy cette cure ny a Eu aucun droit ny pouvoir. dailleur on ne Crain pas de L'avancer dans le temps quil a donnée cette pretendue Concession secrette et hor de la Connoissance des habitants il etoit interdit par ordre de Leveque de Canada de la quelle interdiction on ignore s'il est Encore relevé, or toute interdiction Ennule tous actes Et contracts qu'il auroit pû faire pendant quelle a duré et par concequant tous ses pouvoirs se trouvoient anéanty.

Nous vous reiterons Nos Siegneurs avec tout le respect et la soumission que nous devons a nos Souverains Et avec toute la fidelité que nous vous avons jurée, de nous accorder la justice que nous vous demandons, contre toutes les Entreprises du S^r^ pentecoste sur nos biens terres et communes, que vous ne pouvez connoitre par vous meme a moins qu'une personne Eclairée Et sans partialité ne vous en face un fidel raport. c'est En concequance que nous avons chargê M^r^. Gabriel Ceré Negociant des ilinois porteur de ces presentes de vous donner tous les Eclair-

other concessions or permissions, which M. Pentecoste may obtain from you, which tend to dispossess us of our possessions, and consent that he cannot obtain a larger amount of land than that which the Court of this district will grant him in places which shall not be settled and up to the present have not been taken up by anyone, such concession not to exceed ten *arpents* in width and four hundred and forty *arpents* in area; which amount of land shall be given to him, where it will not be prejudicial to anyone.

Enclosed herewith, our Lords, you will find the copy of the power of attorney which the chapter of Canada sent to M. Gibault, the original of which is deposited at the office of the district of Cahokia, from which power of attorney you will see that M. Gibault neither could nor should dismember or concede any part or portion of the lands and property of the mission of Cahokia without the express consent of the inhabitants of the said place, to whom all this property is conveyed for the maintenance of the said mission or priest, that the said inhabitants shall wish to establish here; and that consequently M. Gibault, since he has never administered this cure, has had no right nor power. Besides we do not fear to advance that, at the time when he gave this pretended concession secretly and without the knowledge of the inhabitants, he was interdicted by order of the bishop of Canada, and we do not know if that interdiction is yet removed; but all interdictions annul all acts and contracts, which the one, so interdicted, may have made while it lasted; and consequently all his powers are annulled.

We ask again of you, our Lords, with all the respect and submission that we owe to our sovereigns and with all the fidelity which we have sworn to you, that you grant us the justice, for which we pray, against all the attacks of M. Pentecoste upon our property, lands and commons, about which you cannot yourselves know, unless a person, informed and without partiality, makes to you a faithful report thereof. Therefore we have intrusted M. Gabriel Cerré, merchant of the Illinois, and bearer of these presents, to give you all the necessary information so

cissements necessaires afin de nous rendre la justice que de Bons Et fidels sujets doivent atendre de leurs souverains pour la Conservation de nos Biens qui sont a la veille d'Etre en proye a la voracité du S^r^ pentecoste, avide de nous depouiller de notre patrimoine Et nous obliger nous et nos familles a faire un deguerpissement de tiranie pour nous obliger a Chercher un azile chez letranger aprés avoir Epuisé notre sang a metre nos terres En valeur pour sa rapacité. Nous vous suplions de nous pardonner si nous nous servons de ces Expressions La lettre quil Ecrit icy nous prouve assez ses intentions de la quelle nous envoyons copie cy jointe.

Nous vous demandons Nos seigneurs d'Etre maintenus dans toutes nos pocessions, usages, coutumes Et loix anciennes sans quaucunne authorité y puisse donner ateinte Et que nous nayant pas le desplaisir d'Etre soumis a aucunne autre justice des ilinois connoissant L'incapacite, haine, Et partialité des sujets qui pouroient lexercer, mais de Nous donner la permission de nous gouverner nous memes comme nous avons toujours fait.

La cour de ce district des cahos a pris sur Elle de Conceder a chaque particulier ameriquain ou autres Nouvellement arrivez En ce pays Et qui veulent sy Etablir dix arpents de terre de large, sur la superficie de quatre cent quarante arpents, dans notre district, Nous Nexedons pas cette quantité afin de menager le terrain pour que Chacun puisse En avoir et nous fortifier par le Nombre d'habitans Et nous metre a labry des incurssions des sauvages Nous esperons que vous nous otorizerez a Continuer dans notre district

Le S^r^ pentecoste a Envoyé icy un procureur arpenteur avec d'Emple pouvoir pour mesurer Et Borner sa concession qui consiste a douze mille arpents de terre ou sont comprises toutes les notre il doit se metre En devoir de le faire sous peû de jour. cest a quoy nous formerons notre opositions jusqua ce que nous avons recû vos ordres que nous esperons authoriser nos opositions Et nous Confirme dans nos pocessions.

Nous vous suplions Nos Seigneurs de nous Envoyer vos de-

[1] Printed in this volume, p. 621.

[2] Probably a reference to the Kaskaskians.

that you may render us the justice, which good and faithful subjects should expect from their sovereigns, for the preservation of our property which is on the verge of being a prey to the voracity of M. Pentecoste, who is eager to dispoil us of our patrimony and to compel us to make of ourselves and our families a sacrifice to tyranny by obliging us to seek an asylum among strangers after having spent our life-blood in making our lands valuable for his rapacity. We beseech you to pardon us if we make use of these expressions; but the letter which he has written here proves sufficiently his intentions, a copy of which we send joined herewith.[1]

We pray you, our Lords, that we be maintained in all our possessions, usages, former customs and laws so that no authority can do violence thereto and that we may not have the distress of being submitted to any other court of the Illinois, since we know the incapacity, spite and partiality of the subjects who might exercise it;[2] but we pray you to grant us the permission to govern ourselves as we have always done.

The court of this district of Cahokia has taken on itself to concede to each single American or other, who has newly arrived in this country and wished to settle here, land in our district of the width of ten arpents and with an area of four hundred and forty arpents. We do not exceed this quantity in order to manage the land so that each can have some and we may be strengthened by the number of inhabitants and so sheltered from the attacks of the savages. We hope that you will authorize us to continue to do so in our district.

M. Pentecose has sent here a surveyor as representative with full power to measure and lay out the boundaries of his concession which consists of twelve thousand arpents of land in which are included all ours. He is bound to begin to do it within a few days. That is why we shall issue our injunction until we have received your commands, which we hope will authorize our injunction and confirm us in our possessions.

We beseech you, our Lords, to send us your decision on all the articles of these representations by M. Cerré, our attorney, so that we may know to what we are bound.

cisions sur tous les articles de ces representations par m^r^ Ceré notre fondé de pouvoir afin de savoir a quoy nous sommes tenus.

voicy la quatriesme representations que nous avons Eu lhonneur de vous adresser sans avoir jamais recû aucunne reponse Nous penssons que si vous avez Eu la bonté de nous repondre tout a Eté intercepté au village des Kakakias

Nous atendons tout de votre Bonte, Equité Et integrité.

Permetez Nous Nos Seigneurs de nous dire toujour Vostres humbles trés obeissants tres soumis Et Fidels Sujets Les magistrats du district des Cahos aux ilinois faisant pour toute la Communauté des habitants du d^t^ lieu.

aux cahôs des ilinois Le 15. juillet 1786.

Trottier	J B H La Croix
Mth Saucier	A. Girardin
de	B Dubuque Commandant
marque + Jh	de
La pense	Marque + Louis
de	Chattelle
Marque + C Alary	

LABUXIERE TO CONGRESS, JULY 17, 1786.

aux Messieurs du Congrés

Messieurs

ayant eu lhonneur d'avoir Eté Nommé procureur des Etat aux ilinois il y a cinq ans au lieu et place du s^r^ Girault qui occupoit cet Employ. depuis ce tems jay pris la liberté de vous Ecrire quatre fois et de vous rendre compte de ce quil y avoit de plus interessant aux ilinois soit que mes Lettres ne vous soient pas parvenues ou que vos Reponses ne m'ayent pas Eté remises. je n'ay pu savoir si je devoit continuer mes fonctions dans cette charge. la mesinteligences des magistrats des Caskakias et le Boulversement des affaires des particuliers occasionnez par quelque personnes avide dargent, ma obligé de me retirer avec ma famille aux cahos ou jay trouvé des habitans remplis d'union de Concorde Et de fidelité aux Etats Et une cour de justice quils ont soin dadministrer avec Equité a ceux qui la reclame.

[1] *Papers of the Old Congress*, lxviii., 25, original manuscript.

This is the fourth representation which we have had the honor of sending you without having received any answer. We think that if you have had the goodness to answer us, all letters have been intercepted at the village of Kaskaskia.

We expect everything from your goodness, equity and integrity.

Permit us, our Lords, to call ourselves always your humble, very obedient, very submissive and faithful subjects, the Magistrates of the District of Cahokia in the Illinois, acting for all the community of the inhabitants of the said place.

At Cahokia the 15th of July, 1786.

[*Signed*]

Trottier.
Mth. Saucier.
of
Mark + Joseph
Lapancé.
of
Mark + C. Alarie.

J. B. H. Lacroix.
A. Girardin.

B. Dubuque, Commandant.
of
Mark + Louis
Chatel.

LABUXIERRE TO CONGRESS, JULY 17, 1786.[1]

To the Gentlemen of Congress,

Sirs:—

Since I had the honor of being named state's attorney at the Illinois five years ago in the place and stead of M. Girault who held this office,[2] I have taken the liberty of writing to you four times and of rendering account to you of what there was of most interest in the Illinois. Either my letters have not reached you or your answers have not been delivered to me, and I have not been able to know whether I ought to continue to perform my functions in this office. The misunderstanding of the magistrates of Kaskaskia and the extreme disorder of the business of the individuals, occasioned by some persons greedy for money, have compelled me to withdraw with my family to Cahokia, where I have found inhabitants filled with unity of peace and fidelity to the states, and a court of justice which they are careful

[1] See his appointment, *supra* p. 487; also *post* p. 625, note 16.

si vous jugez Convenable Messieurs que je continue a exercer cette charge je vous suplie de menvoyer votre commission avec les instruction que je doit suivre afin de m'y Conformer Et de meriter laplaudissement Et protection de mes souverain, pour lesquels je mouray avec fidelite jay lhonneur detre avec profond respect Messieurs

Votre tres humble trés obeissant Et fidel sujet

Labuxiere

aux cahos des ilinois le 17. juillet 1786

PUBLIC NOTICE, FEBRUARY 26, 1786.

Le Public est averty que ceux qui voudront prendre des terres audela de Lequiere des terres de la prairie du pont ait a Se presenter dicy a jeudy prochain deux de Mars, et Se presenteron a M[r] Girardin pour les metre En liste Et Borner les dites terres pour en faire les Clostures, passé Le tems de jeudy, elles seront Conceddées a des personnes qui Se Sont deja presentée donné aux Cahos le 26. fevrier 1786 J B H LaCroix

preside

Lu publié et affiché a la porte de l'eglise des Cahos le dimanche 26 fer. et lundy 27 fer par moy huissier soussigné

Pier troge

AGREEMENT BETWEEN INHABITANTS OF CAHOKIA AND TARDIVEAU, AUGUST 27, 1787.

Cotte L Inven[re] soixante Neuvieme.

Sachent tous par ces présentes que les habitants français du village des Cahokias et Ses dependances ayant apointé Barthelemy Tardiveau ecuyer leur agent aupres du Congrés a l'effet de demander et obtenir pour eux la confirmation de leurs anciens droits, et en outre d'autres concessions de terres dans ce pays des cahokias et Ses dependances prometons et nous obligeons, jointement et Separement, tant pour nous que pour nos enfans males, ou autres personnes que nous representons, de ceder, quitter, et abandonner en toute proprieté aud[t] S[r] Barthelemy Tardiveau, ses

[1] Chi. Hist. Soc., *Cah. Rec.*, original manuscript. Transcription by the editor.

[2] For other references to Prairie du Pont, see pp. 153, 159, 565.

[3] *Menard Col., Tardiveau Papers*, original manuscript. Transcription by the editor.

[4] Notary's index number.

to administer with equity to those who ask its help. If you judge it fitting, sirs, that I continue to exercise this duty, I beg you to send me your commission with the instructions which I should follow, so that I may conform thereto and merit the applause and protection of my sovereigns, for whom I will die with fidelity. I have the honor of being with profound respect.

Sirs Your very humble and
At Cahokia of the Illinois faithful subject
the 17th of July, 1786 Labuxiere.

PUBLIC NOTICE, FEBRUARY 26, 1786.[1]

The public is notified that those who wish to take up land beyond the section of the lands of the Prairie du Pont must present themselves between now and Thursday, the second of March, and they shall present themselves to M. Girardin to be put on the list and to have the said lands surveyed for making the fences thereof. After Thursday, the lands will be conceded to the persons who have already presented themselves. Given at Cahokia February 26, 1786.[2] J. B. H. Lacroix, President.

Read, published and posted on the door of the church of Cahokia, Sunday, February 26, and Monday, February 27, by me, the undersigned *huissier.* Pierre Troge.

AGREEMENT BETWEEN THE INHABITANTS OF CAHOKIA AND TARDIVEAU, AUGUST 27, 1787.[3]

Page L. inventory sixty-nine.[4]

Know all men by these presents that [we], the French inhabitants of the village of Cahokia and its dependencies, having appointed Barthélemi Tardiveau Esquire, our agent at Congress for the purpose of petitioning and obtaining for us the confirmation of our ancient rights and furthermore of other concessions of lands in the country of Cahokia and its dependencies, promise and bind ourselves jointly and severally as well in our own names as in behalf of our male children or of other persons whom we represent, to cede, quit and abandon in full ownership to the said M. Barthélemi Tardiveau, his heirs or assigns the tenth part of all the grounds and lands, which he shall cause to be conceded in our favor, other than those which are ours

heritiers ou ayans causes, la dixieme partie de tous les terreins et terres quil fera conceder en notre faveur, autre que ceux qui nous Sont acquise et dont nous Sommes En pocession par les quatre lieues en quarré et sur chaque face qui ont eté anciennement conceddé a la mission et paroisse des Cahokia par M^rs^ de Boisbriant et des hursins gouverneur et Commissaire deputez par le Roy de france En ce pays Suivant la concession que nous en avons en datte du vingt deux juin mil sept cent vingt deux Lequel dixieme Sera pour lui tenir lieu de payment de ses peines et Soins, frais de voyage ou autres; quil fera pour obtenir les dites nouvelles Concessions; a la condition que, S'il n'obtient Rien, il N'aura Rien a repeter enver nous pour Ses dites peines, frais, et Soins. il est Entendû que led^t^ s^r^ Barthelemy Tardiveau ne poura pas prendre le dixieme des terres qui lui est accordé pour son payement dans l'Etendue des quatre lieues en quarré ci dessus mentionnés Et qui apartiennent de plain droit a la mission des cahos et aux particliers. ce qui est Stipulé par clause express mais que le dit dixieme lui Sera donne pour les nouvelles concessions quil obtiendra pour Les habitants, dans un ou deux emplacements faisant partie de la concession generale quil pourra obtenir; pourvû neantmoins que ledit ou les dits emplacements Soient a peu prés egaux en qualité de terroir et Situation au reste des terres ainsi obtenues. En foi de quoi Nous les magistrats Et principaux habitants du village des Cahokias et Ses dependances avons Signé le present concorda Et a icelui apposé le Scau de Notre Cour. fait unanimement aux Cahokias le vingt septiesme jour d'Aoust L'an mil Sept cent quatre vingt Sept.

[*Signed*]

At. Girardin.	f. saucier.	
Louis Gaud.	Mth Saucier.	J B H LaCroix.
C Lefevre.	DuCharme.	Bap^t^ Baron.
B. Dubuque.	P. Poupar.	fr trottier.
T Brady.	B. Saucier.	J B^t^ aLarie.
Phillipe Engel.		Joseph Lambert.
Pierre Billet.		Aug Dubuque.
Pierre La fleure.		Henry Byron.
Pierre Laperche.		jh BelCour.

and of which we are in possession, in extent four leagues square, which were formerly granted to the mission and parish of Cahokia by MM. de Boisbriant and des Ursins, governor and commissary appointed by the king of France in this country, according to the land-grant, which we have, dated June 22, 1722. This tenth part shall be understood to take the place of payment to him for his labor and pains, costs of travel and other expenses, which he shall incur in order to obtain the said new concessions; on condition that, if he obtains nothing, there shall be no cause for action against us for his said labors, costs and pains. It is understood that the said M. Barthélemi Tardiveau cannot take the tenth of the lands, which is accorded him for his payment, in the extent of the four leagues square mentioned above which belongs in full right to the mission of Cahokia and to individuals, and this is stipulated by express clause; but that the said tenth shall be given as payment for the new concessions which he shall obtain for the inhabitants, in one or two pieces of ground making part of the general concession which he shall obtain; provided, nevertheless, that the said piece or pieces be nearly equal in quality of soil and situation to the rest of the lands thus obtained. In faith of which we, the magistrates and principal inhabitants of the village of Cahokia and its dependencies have signed and thereto set the seal of our Court. Done by unanimous consent at Cahokia the twenty-seventh day of August, 1787.[1]

[*Signed.*]

Ant. Girardin.	F. Saucier.	
Louis Gaud.	Mth. Saucier.	J. B. H. LaCroix.
C. Lefevre.	DuCharme.	Bte. Baron.
B. Dubuque.	P. Poupar.	Fr. Trottier.
T. Brady.	B. Saucier.	J. Bte. Alarie.
Philippe Engel.		Joseph Lambert.
Pierre Billet.	[*Seal, three fleur-*	Aug. Dubuque.
Pierre Lafleur.	*de-lis with crown*	Henry Biron.
Pierre Laperche.	*above*]	Joseph BelCour.

[1] In this same collection, the *Tardiveau Papers*, there are similar agreements made with the inhabitants of Vincennes and Kaskaskia and with the American settlers.

INHABITANTS OF CAHOKIA TO TARDIVEAU, SEPTEMBER 1, 1787.

Cotte L. Inv^re. soixante quatorzieme.

Monsieur

Nous avons recû les pieces que vous nous avez adressées. Nous Nentendons Et ne sommes Convenus avec vous que de vous donner le dixieme sur les terres qui nous seront nouvellem^t Conceddées par le congré pour nous et nos Enfans males, mais non pas dans les terres dont nous sommes deja En pocession qui Sont Enclavés dans notre Seigneurie des Cahos, dont nous avons un titre Suffisant de la dite Seigneurie de quatre lieues en quarré Et de laquelle nous ne Croyons pas avoir Besoin dautre Confirmation. cest pourquoy nous Exceptons ce dixieme sur les quatre lieues de ladite Seigneurie qui nous apartien par le titre que nous En avons et que nous croyons navoir pas Besoin detre confirmé, tant qu'aux nouvelles concessions hor de notre Seigneurie que vous voudrez Bien nous obtenir nous sommes toujour d'accord Et Convenons de vous en donner le dixieme dans un Endroit ou deux pour vû toutes fois que cela Soit hors de notre Seigneurie par conventions expresse nous nentendons pas payer aucunes droits rentes redevances ni impots p^r les terres que vous nous obtiendres du Congré cela nous deviendroit trop onereux par la suite.

Nous vous prions dexcepter dans la procuration les pouvoir que nous avons donné a M^r Cerré que nous nentendons point Ennuler et qui ne concernent que la propriete de notre Seigneurie et commune p^r tous autres pretendus pouvoir donnez par nous, nous les desavouons comme faux Et ayant Eté fabriqués hor de notre connoissance. Nous ne trouvons que ce Changement a faire dans le concorda Et dans la procuration p. larl. qui concerne les pouvoir donnez a M^r Cerré.

Nous avons lhoneur d'Etre respectueusement et avec atachement.

Monsieur

Votre tres humble et tres
obeissant serviteurs

[1] *Menard Col., Tardiveau Papers*, original manuscript. Transcription by the editor.

[2] Notary's index number.

[3] See *supra*, p. 585.

INHABITANTS OF CAHOKIA TO TARDIVEAU, SEPTEMBER 1, 1787.[1]

Sir:

Page L. inventory seventy-four.[2]

We have received the documents which you have sent us. We intend and have agreed with you to give you only the tenth of the lands which shall be newly conceded by Congress to us and our male children, but not of the lands, of which we are in possession already and which are included in our seigniory of Cahokia, for which we have the sufficient title of the said seigniory for four leagues square and for which we do not believe that we have need of other confirmation. This is the reason that we except this tenth from the four leagues square of the said seigniory, which belongs to us by title-deeds which we have and which we believe have no need of being confirmed. In regard to the new concessions outside of our seigniory, which you wish to obtain for us, we are always in agreement and do agree to give you the tenth in one or two pieces, provided, nevertheless, that it is outside of our seigniory. By express convention we do not undertake to pay any duties, rents, dues or imposts for the lands which you obtain for us from Congress. That would become too onerous in the end.

We beg you to except in the power of attorney the powers which we have given to M. Cerré, which we do not intend to annul and which concerns only the ownership of our seigniory and commons.[3] As for all other powers, claimed to be given by us, we disavow them as false and as having been fabricated without our knowledge.[4] We find only this change to make in the agreement and in the particular power given to M. Cerré.

We have the honor of being respectfully and with attachment,

Sir

your very humble and very obedient servants.

[4] A reference to the agent of the French party of Kaskaskia, Parker, who had been given a copy of a former petition of the people of Cahokia without consulting them. See *Introduction*, p. cxxx. and also p. 567, n. 2.

[*Signed*]. aux cahos le 7 7^{bre} 1787.

f. saucier. DuCharme.
A^{t} Girardin. Phillipe Engel.
Mth Saucier. B Saucier.
fr trottier.

Nous ne vous prions de faire En sorte dobtenir les terres, prenant depuis la rivierre de Laigle En remontant le mississippy du Costé du Nord-Est.

nous avons refait la procuration ainsi que le concorda que nous esperons que vous agreerez.

Nous vous prions de nous Envoyer au recû de la procuration et du concorda, a moins que vos occupations ne vous permetent de nous En Envoyer un double.

[*Addressed*] A Monsieur
Monsieur Tardiveau
Commissaire pour le Congré du present
aux Caskaskia.

ADDRESS BY ROBERT WATTS, SEPTEMBER 14, 1787.

Adresse Faite a la Cour des Cahos, Seance tenant par Robert Watt Commandant nomé par icelle au Lieu apelé le Grand ruisseau dans Sa dependance & District.

Messieurs:

Ce n'est Point ma propre Cause qui me traduit aux pieds de votre auguste assemblée[1] . . . . . C'est Celle de votre sureté votre repos, votre justice & bien mieux Encore Celle de votre Supreme autorité que rien ne devroit alterer ny ébranler; & c'est Cependant Messieurs Ceque le desordre vient d'enfanter anjourdhuy.

Si vous m'avés comissioner pour soutenir votre Justice en veillan pour vous Sur la Sureté publique & Sur le repos et les démarches de Cette poignée d'habitans qui Compose & forme le petit vilage du Grand ruisseau, Je ne dois pas vous laisser

[1] The postscript appears to be written in a different handwriting from the body of the letter, but this difference may be due to a change of pen. The "*ne*" of the first paragraph is an insertion, and may be a mistake or a forgery. If so, the clause would be positive instead of negative, as given in the translation.

[2] Chi. Hist. Soc., *Cah. Rec.*, original manuscript. Transcription by the editor. There is a copy of the same by the clerk in the *Menard Col., Tard. Papers.*

[3] The dots are in the original.

At Cahokia, September 7, 1787.

[*Signed*]

F. Saucier. DuCharme.
Ant. Girardin. Philippe Engel.
Matt. Saucier. B. Saucier.
Fr. Trottier.

We do not pray you to act so as to obtain the lands which extend from the Eagel River up the Mississippi on the north-east side.

We have remade the power of attorney and also the agreement, which we hope that you will accept.

We pray you to send us notice on receipt of the power of attorney and agreement, provided your work does not permit you to send a duplicate thereof.[1]

[*Addressed*] To Monsieur Tardiveau
Commissioner to Congress
at present at Kaskaskia.

ADDRESS BY ROBERT WATTS, SEPTEMBER 14, 1787.[2]

Address made to the Court of Cahokia in session by Robert Watts, Commandant, named by the Court, at the place called Grand Ruisseau, in its dependency and district.

Sirs:—

It is not my cause which calls me into the presence of your august assembly .....[3] It is that of your security, your peace, your justice and far better still that of your supreme authority, which nothing should alter or disturb; and yet, gentlemen, it is that which disorder is about to bring forth to-day.

If you have commissioned me to sustain your justice in watching for you over the public security and over the tranquility and activities of this handful of inhabitants who compose and form the little village of Grand Ruisseau, I ought not to allow you to remain ignorant a longer time, gentlemen, that there is among us one whose would-be pretentions are directed towards weakening and diminishing your authority,....that authority which has always maintained peace and harmony, that which the estates of Virginia even have deigned to respect in giving it their

ignorer plus longtems Messieurs qu'il en est parmi nous dont les prétentions Soit disant, se portent a affoiblir et diniuer votre autorité, ...elle qui a tourjour Maintenue la paix et L'harmonie, elle que les etats de Virginie même ont daigner respecter en l'aprouvan déslors, elle que ces mêmes états reconoitront toujour Pour Cooperer a la gloire des états unis.

De quel oeil aprés des droits aussi bien Cimentér et emanér Pourés vous voir Messieurs l'atentat et l'infraction que L'on Comet aujourdhuy sur vos pouvoirs.

un Sieur piquet, Come chéf de parti dans la Cabale du Grand ruisseau, vient de me dévéstir des titres & qualités Dont J'etois honoré par votre respectable Cour, & sur l'enquétte que je me suis haté de faire des Causes d'un procedé Pareil, un Certain roger home sans nom & sans honeur auroit vilainement abusé tout Ce qui émane de votre autorité au moment ou mon devoir m'obligeoit de prendre la déffence de votre auguste Cour dans la Conservation de ses droits & de ses priviléges.

Passeriés vous sous silence Messieurs, des Iniquités qui vont jusqu'a blesser L'autorité la plus respectable;.....Ce n'est plus la votre dont Il est question en ce moment, c'est Celle Messieurs des états de Virginie que vous devés deffendre, C'est elle qui est offencé dans le Corp respectable qui vous assemble ici, Car vous n'êtes a Cet égard que L'image de Leur Justice Come Je ne suis au votre que l'electricité de vos Volontés.

Si tant d'Insubordination devenoit Inpunissable que Deviendroit par la suitte votre Sureté, vos droits inaltérables vos Familles & vos biens; ne vous rendriés vous Comptable Envers dieu envers les homes, vous en qui chaque Cytoyen doit placer sa Confiance par la sureté quils établissent dans les droits qui vous apartienent & que loin de laisser oisifs, deves au Contraire dans des besoins aussi pressants faire éclater d'une Maniere propre a étouffer dans sa naissance le danger évident de voir chaque Cytoyen et vous même Messieurs, devenir le jouet d'une Soit disante Cour Crée & Innové sans autorité & sans pouvoir dans le lieu de la belle

[1] For the history of Grand Ruisseau and Bellefontaine, see *Introduction*, p. cxlix., and also pp. 189, n. 2, 219, 307.

approval thenceforth, that which these same estates recognize always as co-operating to the glory of the United States.

With what eye, after rights so well strengthened and emanated, can you see, gentlemen, the outrage and infraction, which is being committed to-day on your powers?

A certain M. Piggott, as party chief in the cabal of Grand Ruisseau, has just divested me of the titles and qualities with which I was honored by your honorable Court; and at the enquiry, which I hastened to make in regard to the causes of such a proceeding, a certain Rogers, a man without name and without honor, has villainously abused all that proceeds from your authority at the moment when my duty obliged me to take up the defence of your august Court in the preservation of its rights and its privileges.[1]

Would you pass in silence, gentlemen, iniquities which go as far as to wound the most honorable authority?.... It is no longer yours which is in question at this moment; it is, gentlemen, that of the estates of Virginia which you ought to defend. It is that which is offended in the honorable body which assembles you here; for in this respect you are only the image of their justice, just as I am for yours the electricity of your wills.

If such insubordination were to be unpunishable, what would in consequence become of your security, your unalterable rights, your families and your property? Would you not render yourselves accountable to God and to men, you in whom each citizen should place his confidence through the security, which they establish, in the rights which belong to you, and which far from permitting ease, you ought on the contrary in needs so pressing to make blaze out in a manner calculated to destroy in its birth the danger, obvious to every citizen and to you also, gentlemen, of becoming the sport of a would-be court, created and innovated without authority and without power in the locality of Bellefontaine, where the assemblies must be convoked in order to judge definitely on all that shall be carried before their would-be tribunal.[2]

Is there not therein a formal defiance made to the most sacred authority? Is that not a violation of the submission which is due to

[2] Commandant Watts' knowledge of French is not always equal to his Ciceronian oratory, and the result is at times obscurity of meaning.

fontaine & ou les assemblés Doivent Se Convoquer pour juger definitivement sur tout Ce qui Sera porté a leur Soidisan tribunal.

N'est ce pas la un mepris Formel fait a l'autorité la plus sacré, n'est ce pas enfreindre la soumission que l'on doit au Sanctuaire le plus Saint, n'est ce pas abuser ouvertement de la Constitution Fondamentale des états unis; ou est le droit des Gens ou est La Sureté publique, ou est l'amour de la patrie & ou est Enfin cette autorité absolue qui apartien a notre métropole; devés vous Messieurs En areter Le Cours ..... Je vous le demande! Craignés Cet orage qui gronde deja sur vos têtes, Craignés le feu dangereux dont vous devés redouter les étincelles, Craignés vous dis Je Messieurs, Cet attentat aux loix & a L'etats, & Nous vous verons bientot repondre sur chaque individu la Justice que vous leur devés, au moment surtout ou chaque Fidel Cytoyen éleve sa voix & qu'il s'adresse a vous pour atirer vos bontés sur les malheurs que Fomentent toujours le Désordre & L'insubordination.

Oui Messieurs J'entrevois vos regards Favorables sur des Evenements qui nous touchent toute en particulier, & dont les suittes ne scauroient étre que funeste, Je vous vois areter Le danger d'une Conduite aussi ireguliere dans une poignée d'êtres erans, qui n'ont pas dedaigné de vous demander un asile & une retraite lorsque leur propre partrie étoit sourde a leurs besoin, Je vous vois dis Je rompre le silence & reprimer le Coupable audace Empreinte du Crime de lêze état; que votre Justice Se manifeste & qu'elle éclate & Ce Sera pour vous une augmentation a la gloire que vous devés aux états & un monument a vos bontés; mais si ces mêmes bontés Passoient Sous Silence de pareils attentats, vous veriés bientot Fouler aux pieds vos droits & votre équité.

C'est pourquoi Messieurs qu'aprés avoir mis Sous vos yeux La position Fatale d'une circonstance dangereuse, J'ai tout lieu d'esperer, Non Come membre particulier des representation que J'expose a votre Cour, mais Comme Chargé de la part De toute Ceux qui respectent vos droits & vos Immunités, davoir pour agréable de Faire transporter Le S^{r} Piquet habitant dans votre district du grand ruisseau, pour le reprimer Dans Ses démarches, lui defendre d'éxercer & De S'ériger en Soidisan Magistrat et

the most sacred sanctuary? Is that not an open abuse of the fundamental constitution of the United States? Where is the right of the people? Where is the public surety? Where is the love of country and where finally is that absolute authority which belongs to our metropolis? Ought you not to stay its course?.. ....I demand it of you! Do you fear this tempest which rumbles already over our heads; do you fear the dangerous fire, the sparks from which you ought to dread; do you fear I say, gentlemen, this outrage on the laws and the estates; and we shall see you soon answering to each individual for the justice which you owe him, at a moment especially when each faithful citizen is raising his voice in appeal to you to attract your benevolence to the evils which are always fomenting disorder and insubordination!

Yes, Gentlemen, I catch a glimpse of your looks favorable to the events which affect us all and severally, and the results of which could be only fatal; I see you stay the danger of a conduct so irregular in a handful of erring beings, who have not disdeigned to ask of you an asylum and retreat, when their own country was deaf to their needs; I see you, say I, break the silence and repress the sinful, bold crime of high treason. Let your justice be made manifest and let it blaze forth and there will be for you an increase in the glory which you owe the states and a monument to your benevolence; but if this same benevolence should pass in silence such outrages, you would soon see your rights and your justice trampled under foot.

That is the reason, gentlemen, why, after having placed before your eyes the fatal position of a dangerous event, I have every reason to hope, not as a particular member of the representation which I am setting forth to your Court, but as intrusted by all those who respect your rights and immunities, that you will determine to cause M. Piggott, inhabitant in your district of Grand Ruisseau, to be transported in order to restrain his activities, and to forbid him to exercise the duties of and set himself up as a would-be magistrate and justice of the peace in the whole department and dependency of your Court, on pain of being treated as an insurgent and rebel to the United States and of being from now

Juge de paix Dans tout le ressort & dependance de votre Cour a peine d'être traité comme Infractaire & rebel aux états unis, D'être même dés a present regardé comme traitre a vos volontées & Constitutions, moriginer & molester en tant que de besoin Le Nomé benjamin roger habitant au même lieu du grand ruisseau, pour avoir méprisé & mal parlé de la Cour ici presente En Consequence Le faire transporter par devan votre ditte Cour Pour L'en faire rétracter & lui en faire Demander & prononcer les Excuses Suivant L'éxigence du Cas ou telles autres Soumissions que Jugerés convenables pour la Satisfaction au respect qui apartien a votre Cour, aprés quoi Messieurs qu'il vous plaise lui ordoner reparation Envers Moi de la Grieveté de Ses Insultes dans les moments Surtout ou Mon devoir m'obligeoit de Soutenir le droit l'honeur & l'interest de votre auguste Cour.

et pour qui les choses ayent tout L'éffet que la Sureté publique a lieu d'atendre de vos bontés, prendre Conoissance Messieurs des motifs qui ont doné lieu aux habitants de la belle fontaine D'innover une Cour independante de la votre, sans autorité a cet éffet, sans droits sans soumission sans reserve & sans exception; (triste présage Messieurs lorsque le Germe de l'honeur a besoin d'une loy plus pressante & plus proche que la votre pour le faire eclore), ... ou bien Messieurs est ce pour prendre chacun Son éssort ou bien encore est Ce pour enfreindre votre Justice & vos droits, ou plustot Messieurs en S'éloignant du Centre de votre autorité gravitante, est ce pour Secouer le joug & mepriser les bontes que vous avés en tout tems repandu sur chaque Individu; voila les éffets de la reconoissance que vous offrent ceux que la nature avare a transplanté dans vos climats

puissiés vous Messieurs en developan vos droits & votre autorité, faire Germer, dans touts les Coeurs, les Sentiments inalterables qu'inspirent le respect & l'attachemant qui est dû a votre auguste Cour; C'est bein Celui Messieurs qui m'oblige De vous dire Combien Je ne Cesserai Jamais d'être avec tout Celui qui vous apartien

Messieurs Le plus humble et le plus affectioné de vos cytoyens

Aux Cahokia le 14 de 7^{bre} 1787. Robt. Watts

on regarded as a traitor to your will and constitution; and to reprimand and punish, in so far as there is need, the named Benjamin Rogers, inhabitant of the same place of Grand Ruisseau, for having defied and badly spoken of the Court here present, and consequently to have him brought before your said Court in order to make him retract and to make demand of him therefor and to cause him to make his apology according to the exigences of the case, or to do such other acts of sumbission as you shall judge suitable to satisfy the respect which belongs to your Court; after which, gentlemen, that it please you to order him to make reparation to me for the heinousness of his insults made at the moment specially when my duty obliged me to sustain the right, honor and interest of your august Court.

And in order that the affair may have all the effect which the public has the right to expect from your benevolence, I hope that you will take cognizance, gentlemen, of the motives which have caused the inhabitants of Bellefontaine to inaugurate a court independent of your own, without authority to do so, without rights, without reserve and without pleas, (sad omen, gentlemen, when the germ of honor has need of a law more urgent and nearer than yours to make it develop). . . or indeed, gentlemen, it remains for each to make his own flight, or indeed, again, to violate your justice and your rights, or rather, gentlemen, drawing away from the center of your weighty authority, to shake off the yoke and defy the benevolence which you have at all times diffused for all persons; such are the consequences of the gratitude, which those whom miserly nature has transplanted into your climate, are offering you.

May you be able, Gentlemen, by developing your rights and your authority, make germinate in all hearts the unalterable sentiments, which inspire the respect and attachment which are due your august Court! It is indeed that, gentlemen, which obliges me to tell to you how I shall never cease to be in all that which appertains to you,

Gentlemen, the most humble and affectionate of
your citizens,

At Cahokia September 14, 1787. Robt. Watts.

SENTENCE AGAINST PIGGOTT AND ROGERS, SEPTEMBER 17, 1787.

La cour du district des Cohos assemblee Sur Les representations a elle faites par le S^r Robert Wath commandant Etably par ladite Cour, au grand Ruisseau en datte du quatorze de ce mois par laquelle il nous declare et nous previent de L'attentat et insubordination qui tend a une Conjuration populaire de la part des habitants americains du grand Ruisseau et de la ballefontaine tendante a Se Soustraire a la justice de cette Cour et L'anéantir par la suite, En Sarogeant Sur nos terres un droit d'independance Et Envahir notre authorité et privileges Et Nomement le nommeé Jacques piquet habitant du grand Ruisseau En la dependance de ce district acusé de S'etre immissé En magistra et juge de paix en celle pretendue Soit disante jurisdiction au mepris de notre cour, Et le nomme Benjamain Roger aussi habitant dud^t lieu du grand Ruisseau pour avoir meprise par termes desplacés la personne du S^r Wath que son devoir obligeoit de Soutenir nos interest et les droits de notre Cour, et avoir voulû avillir nos ordres. Le tout examiné Et consideré la Cour deffend tres expressement aud^t piquet de Sassembler doresnavant a la bellefontaine pour y tenir aucunne Seance ny former aucunne justice ny milice independante de la Cour des Cahos a peine d'Etre Chassé de ce district et Ses Biens Confisqués a qui il apartiendra. Et pour avoir accepté dans ladite assemblée tenue entreux Sans permission ny authorité la place de magistra Et juge de paix. la cour la condamné a Etre mis aux fers En ce village pendant lespace de vingt quatre heures Et condamne a pareille peine led^t Benjamain Roger pour son manque de respect tant Enver notre Cour. que enver led^t S^r Wath Lesquels Seront a la garde de notre huissier a leurs frais Et fera led^t Benjamain Roger excuses Convenables la Cour presente aud^t S^r Wath ce qui sera executé donne En Cour le dix sept Septembre mil sept Cent quatre vingt Sept. Signé - pierre Laperche - B^te Saucier - Philipe Engel - ducharme - fs Saucier presidant.

Labuxiere grefier.

La presente Sentence a Eté Executé le meme jour

Cotte L Invre soixante quinzieme

[1] *Menard Col., Tardiveau Papers*, original manuscript. Transcription by the editor.

THE SENTENCE AGAINST PIGGOTT AND ROGERS, SEPT. 17, 1787.[1]

The Court of the District of Cahokia assembled, on the fourteenth of this month, to hear the representations made to it by M. Robert Watts, commandant established by the said Court at Grand Ruisseau, in which he makes accusation in informing us of the outrage and insubordination, which tend to a popular conspiracy on the part of the inhabitants of Grand Ruisseau and Bellefontaine, in order to escape from the jurisdiction of this Court and to annihilate it finally, by arrogating to themselves a right of independence on our lands and by encroaching on our authority and privileges; and he has accused especially the named James Piggott inhabitant of Grand Ruisseau, in the dependency of this district, of having thrust himself into the office of magistrate and justice of the peace in this pretended and would-be jurisdiction to the defiance of our Court; and the named Benjamin Rogers, also inhabitant of Grand Ruisseau, of having scorned by offensive terms the person of M. Watts, whom his duty compelled to support our interests and the rights of our Court, and of having wished to dishonor our orders: after all was examined and considered, the Court forbids very expressively the said Piggott to call assemblies henceforth at Bellefontaine for the purpose of holding any session there or of devising any justice or militia independent of the Court of Cahokia, on pain of being driven from this district and of the confiscation of his property, for whom it shall concern; and for having accepted the position of magistrate and justice of the peace in the said assembly, held by the people without permission or authority, the Court has condemned him to be placed in irons in this village for the space of twenty-four hours; and it condemns to a like punishment the said Benjamin Rogers for his lack of respect both towards our Court and towards the said M. Watts; and they shall be in the custody of our *huissier* at their own expense; and the said Benjamin Rogers shall make in the presence of the Court suitable apologies to the said M. Watts; for which there will be execution. Given in Court the seventeenth of September, 1787. Signed, Pierre Laperche, Bte. Saucier, Philippe Engel, DuCharme, Fr. Saucier, president.

Labuxiere, Clerk.

The present sentence has been executed the same day.

Page L, inventory seventy-five.

ORDINANCE OF THE COURT OF CAHOKIA, JULY 5, 1789.

De la part de la Cour du district des Cahos.

La Cour ayant examiné que les circonstances ou se trouve ce village par les mauvaises intentions ou Sont les Sauvages contre nous qui Se manifestent depuis longtems, tant par l'assassin de plusieurs personnes aux Environs de ce village que par l'Enlevement continuel de nos chevaux et autres insultes commises par ces Barbares aux quelles il nous est presque impossible de nous oposer par le manque de force; nous trouvant continuement exposés a la fureur des partis qui viennent journellement Sur nos terres et Sur les chemains, pour y tuer et enlever les chevaux ce qui expose les habitans a être massacrez en faisant leurs travaux Et nous met hors d'etat de pouvoir Sortir Sans courir les Risques de la vie.

Cest pour prevenir les dangers ou nous sommes exposez par les sauvages qui viennent en ce village Sous le voile de L'union et de L'amitié et qui en S'en retournant, tuent, pillent, et Enlevent les chevaux que la cour cherche les moyens de Remedier aux malheurs qui nous Environnent.

a cette fin par deliberation de laditte cour elle fait expressement deffences a toutes personnes de telles qualité et conditions et profession quelles soient et Sous tel pretexte que ce puisse être Sans pouvoir aleguer aucunes raisons; de vendre traiter ni debiter aucunes Boissons Enivrantes aux Sauvages qui viendront au poste des Cahos Soit tafia ou autres liqueurs que ce puisse etre, faisons aussi deffences de leur traitter de la poudre, Balles, munitions et armes non pas meme en present a peine de cent piastres demande payable contant Sans moderation, de confiscation des Boissons, poudre, munitions et armes qui Se trouveront ches eux pour vendre Et d'etre chassez de ce district â perpetuite Sans esperance de pouvoir y revenir Enjoint ladite Cour a tous ceux qui auront connoissance des contrevenants de nous en avertir ou de les declarer au greffe a peine de se rendre complice Et ceux qui reserveront des Sauvages ches eux seront tenus den avertir le commandant a peine de prison aussi tost leur arrivee ce qui sera execute et la presente sera lue publiée Et

ORDINANCE OF THE COURT OF CAHOKIA, JULY 5, 1789.[1]

On the part of the Court of the District of Cahokia.

The Court having considered that the circumstances in which this village finds itself on account of the evil purposes which the savages have against us,[2] which are shown, since a long time, both by the assassination of several persons in the neighborhood of this village and by the continual stealing of our horses and by other insults committed by these barbarians, to whom it is almost impossible to make opposition on account of the lack of military force; and finding ourselves continually exposed to the fury of the parties, which come daily on our lands and roads for the purpose of killing persons there and of stealing the horses, which exposes the inhabitants to being massacred while at work and makes it impossible for us to go out without risking our lives:

It is to prevent the dangers to which we are exposed from the savages who come to this village under the veil of union and friendship and who, on returning, kill, pillage and steal the horses, that the Court seeks means to remedy the evils which surround us.

To this end, by resolution of the said Court, it is expressly forbidden all persons of what quality, condition and profession soever and under any pretext whatsoever, without the possibility of excuse, to sell, trade or sell at retail to the savages any intoxicating liquors of any sort; we forbid also trading with them in powder, bullets, ammunition and arms or giving them even as presents, on pain of one hundred *piastres* fine payable in cash without mitigation and of confiscation of the liquors, powder, ammunition and arms, which shall be found at their houses for sale, and of being driven from this district forever without hope of being able to return. The said Court enjoins all those who shall have knowledge of offenders to inform us thereof or to denounce them at the office, on pain of rendering themselves accomplices; and those who receive savages at their house shall be held to notify the commandant thereof as soon as they arrive, on pain of prison, for which there will be execution; and the present shall

[1] Chi. Hist. Soc., *Cah. Rec.*, original manuscript. Transcription by the editor.

[2] At the close of this period there was almost continuous Indian war.

affichée demain dimanche a la porte de leglise aux Cahos le 5 juillet, 1789.

Sa	hBi	fr Trottier
Louis + Chatel	Philipe Engel	At Girardin.
marque	Pierre Laperche	
DuCharme		

be read, published and posted to-morrow, Sunday, on the door of the church of Cahokia, July 5, 1789.

[*Signed*]

his		
Louis + Chatel	hBi	F. Trottier.
mark	Philippe Engel.	Ant. Girardin.
DuCharme.	Pierre Laperche.	

CAHOKIA DOCUMENTS.

ENGLISH

JOSEPH BOWMAN TO G. R. CLARK [1]

Kahous May 28th 1779

Dear Sir

I Received you letter by Mr Charleville Which affords me the Greatest satisfaction to hear of The Arivel of Coll° Mongomery & his success that I now can Rest Contentedly with Reguard to haveing success on our Intended Expedition. Our old saying was Everything Happens for the best, had Col° Mongomery arived soonr perhaps he wood have been Expencive with Reguar to provisons I Expect we shall be furnishd with Every Necessary Requird from this Post without makeing use of the Last Argument which affords me the greatist Pleasure to find that the Inhabitans seame desireous of furnishing what Lies in their Power, which I hope will Recommend them much to your Honour, Mr Shannon will Write to you more fulley upon that Head.

Mr Langtoe[2] is Just Arived with all the good news We could Expect from above and will be with you in A few days. Peace & Quietness seams to be Establishd Amongst the Indians in General, I have Just now Dismist a party of the Pottewottemies with Content &c. be Assured of a Company of Vollenteers from here & Expect the Same with you: I am Dr Sr with Respect your &c.

Jos Bowman

[*Addressed*]
Coll° Go. R Clark Esqr Commander
in Cheif of the western Department
Pr Mr Pappae Kaskaskia

[1] *Dr. MSS.*, 49J45, original manuscript.

[2] Linctot.

BOWMAN TO G. R. CLARK[1]

Kahous May 28th 1779

Dr Sir,

It gives me Pleasure to Inform you of the bravery of the Volenteers at this Place that after aplication was made to them for their Assistance, in less than twenty four Hours turnd out A Company larger than the other who hath Chosen Mr Langto for their Captn they with a few others that are Ingagd for Bullock Driveing &c amounts to forty odd men notwithStanding twenty odd of the Last Companey of Volenteers are Away, that had not that been the case I wood have asured You 60 men at Least. It was with great dificulty I Could Restrain maney of the old Married people from turning out With us as I New the Circumstance of their families would Not Permitt them to be absent. I think you may depend on fifty at aney Rate; At first I was afraid Captn Langtoes Appointment would Interfair with his other buisness. but — As he seams desireous to take his Rout by way of the Islinois River and to meet us at Ouiaws on the wabash in order to Recruit more men I think it wood answr Every purpose we could Requir, which Rout I hope youl grant him unless you should think it Quite Inconsistant. He farder purposes to purchace about forty Horses on his way for the state which will be wanting in case the waters Should be low, the Horses mought be purchased to a — Considerable Advantage. if so he will Require some goods And Taffee for his Voyage; he has furnishd us with some pelteries which is Applyd for the use of purchaceing provisions &c. he will wait upon you to Receive Your Orders. In order to Direct himself Accordingly he brought down five or Six Horses wich he has Delivered to Captn Shannon but None that would answer you so well as your Own, As to a state of Provisions &c; youl be informd by Captn Shannon; If nothing Particular should Call for me I shall wait your farder orders, as my Presence here will be much required with Regaurd to forwarding Every thing from this Place — If aneything Else should be Requird youl be Pleased to Acquaint me, the measure I am Obligd to, At Present does not altogether agree with my Constitu-

[1] *Dr. MSS.*, 49J46, original manuscript. Preparations were being made for the proposed expedition against Detroit.

tion for you may depend upon it that I have Not been Idle, I have Inclos^{d} you a Coppy of the Inventory of Every article that I have taken out of the Contine tle [*MS. imperfect*] Store at S^{t} Louis which I drew from my Rec ts [*MS. imperfect*] & afterwards Presenting of it to M^{r} Bosalee he Refused to take it, for what Reason I know not.

My Compliments to Col^{o} Mongomery and the Gentlemen Officers Likewise to the Volenteers and am In hopes to find them all in Readiness for a march.

I am D^{r} S^{r} your most Obd^{t} friend & Humb^{l} Se^{r}
Jo^{s} Bowman

[*Addressed*]
Coll^{o} G. R. Clark Esqr.
Commander in Cheif of the western Department
Kaskaskias
Received 31st of May 1779

Bowman to G. R. Clark [1]

Kahous June 3^{d}. 1779

Dear Sir

By the bearer M^{r} ..... I have Just received the following Inteligence from Micha^{l} M^{c}anoy[2] who Informs me that he left that the 8^{h} of April Last with permition to go as far as Labai with orders to Longloid & Gouchey from Maj^{r} Depoister forbiding them from Raising aney more Indians against the americans that Maj^{r} Depoister has but forty men and 100 at Detroit by Report, the Indians Informes them of our armey beeing near Detroit that in two days they Can fetch in a scalp from our People, he on his way here Receiv^{d} the kindest treatment from the Indians who seam Intirely dispos^{d} in our favor he has brought with him a large Quantity of goods that was Conceald to him by M^{r} Bentley who was to start in ten days after him in case he could obtain A permitt otherways he wood make his Escape the best way he could

I begin to be Impatiant to start and am In hopes by Next monday to make a move with Everything from here with hoops of

[1] *Dr. MSS.*, 49J49, original manuscript.

[2] Michillimackinac.

finding you all in Readiness for a start which I make not the least doubt of; if in case your purchacers has been as buis [*MS. torn*] Imploy[d] as we where. I expect Mr Shannon back Every hour. The weather begins to grow warm & the waters Low so that no time Ought to be lost with regaurd to preparing Every Necessary required for our Expedition, pray make Every officer Exert himself as I have been obliged to do, as much depends on Industry, their is maney Thanks to be paid to the Inhabitants here, as they have Spaird their Cattle & Horses past Expectation they have furnish[d] Every fifth head of Cattle instead of the tenth, which amounts to 80 odd 40 odd Horses & 150000 [lb] of Flower with [*MS. torn*] ing to press one thing.

The reason of not getting more Flower from this Place is owing to the scarceity, as their has been sold out of this town since your Departure from here between twenty and thirty Thousand weight I am afraid that Unless you send up a boat for the flower I shall be disappointed I have had the offer of severl Bark boats but none of them in order, or strong Enough to trust A Load in,

My respects to the Gentlemen officers whilst I remain D[r] S[r] your most Obd[t] friend & Hum[le] Se[r]

Jo[s] Bowman

N B in my letter instead of orders forbiding the Indians to be rais[d] against the Americans they are cauld for to Micha[l] M[c]anoy to a counsel.

[*Addressed*] Col[o] George Rogers Clark
Command[r] in cheif of wes[trn] Depr[t]
pr M[r] pravoe Kaskasias
Received 5[th] June 79

BOWMAN TO G. R. CLARK.[1]

Kahous June 6[th] 1779

Dear Sir

I Expected to start from here tomorrow but finding that the man who was appointed by Mr. Lacroix to Brand all the Cattle as they were Purchased had done it in such a manner that out of Eighty head their does not appear the Brands of above twenty so

[1] *Dr. MSS.*, 49J51, original manuscript.

that we shall now have near as much trouble Collecting of them from the diferent Inhabitants as in Purchasing of them at first; Also Mr Shannons not Returning according to Promise, as well as the want of a boat or Boats to transport the flower from here, has disappointed me Intireley; I should be glad you would let me know what day you Intend to start so that I may be able to direct Every thing Accordingley; I should at Least want to be at Kaskaskias three Days before hand in order to settle my accounts & Consearns of my Companey.

Mr Parault addresses himself to me to go with us on the Expedition Observing that he beeing A Cripple & the Imployment he is now in does not Afford him sufficient Livelyhood, on account of his Imployer not haveing Merchendise Sufficient for traid as to afford him better wages.

But at the same time his Imployer beeing Willing to advance to the said Perault a Quantity of Liquors &c provided You would grant him permition to act as a setler to the Ridgements as well as your pertection otherways. I have therefore Recommended him to you to know whether you will Grant him that Permition or not.

I have furnishd him with one of the state Horses which you will be Pleasd to keep and let him have another to Return with if you should think proper, I have also sent annother state Horse by Battist Allerey which is to be Delivered to the Packhorsmaster, if aney.

I am Dr Sr your most Obdt friend & Humbl Ser.

Jos Bowman

McCarty to Todd, September 18, 1779.[1]

Sir

I am under the Necessity of informing you of what Party of the Inhabitants of this Village hath been Guilty of in Destroying a Part of my Stock the Quantity I cannot Ascertain; having been called out on the Service of my Country in January last and always Since been Obliged to attend the Service, to the prejudice of my own; I could not lay in a Sufficiency of Provisions &c. for the Subsistence thereof unless let run in the woods about my Settle-

[1] *Dr. MSS.*, 49J72, original manuscript.

ment Six Milles Distant from this town. the People of this Village have Sowen Grain out in the open fields & meadows without Any fence or inclosure to preserve it as I am at Such a Distance from this Village it cannot be Supposed that I have any Connections with them in the Town Laws Concerning their Commons, as I am Quite on the other Side of them It would be very Rediculous to Suppose that If any Person Should take it in their heads to Sow Grain in any Part of the Lands between this and Post Vincent without any inclosure and have a Right to Shoot any mans Cattle hogs &c. should they find out such a field and Enter it.

I dont see yet through the Designe of a few Dispicable Inhabitants who say they are authorized by you, to parade themselves in the fields Destroying My property when there is Numbers of other hogs in the Same place that are as fauctious as Mine Whither it is because I command a party of of the State Troops hear or not, perhaps they want us away. Indeed unless there is Soon a Change made for the Better me nor my Soldiers will have no Buissiness hear, Neither can we Stay half Naked, what we are paid with Call'd down by the Civil power; with what can we get our Neccessaries of Life; as long as I had any thing in my hands I furnished it for the Service, but at this rate it will not be long in my power to Subsist, when my Stock is Shot down in the Open fields and no redress to be had in this Country; Neither do I kno' the Laws you have Established. I am Sir with Respect Your most obed^{t} & very Hum^{b} Serv^{t}

Cahos 18 7^{br} 1779 Richard M^{c}Carty

To

Col^{o}. Todd

McCARTY TO MONTGOMERY, SEPT. 19, 1779.[1]

Sir

Since you left us my men Desert dayly. they are Continually with me to Cloath them or give them there Discharge, that they may Cloath themselves I have trouble enough with them and have thought could we Contrive a Method by the intermission of M^{r} Bourgard to Satisfie them for the present for If Something

[1] *Dr. MSS.*, 49J71, original manuscript.

is not done, they will all leave me Except my English who are the least Clamourous, yet they Complaine, and Colo. Todds Residence here will Spoil the people intirely for the Inhabitants no more Regard us then a Parcel of Slaves. Neither do I chuse to do any thing yet Soldiers & people Disatisfied, you may think what a poor life your humble Servt hath. My Schem is to purchase as much Strouds as will make a short jacket, and a pair of long Trowsers to each man, the jacket to have a red Cuff turned up by which they will be uniform it will take 2½ Ells to each man and there is no Hats we can make them caps. for Shoes we must Shift with Mogasins. Mr Ceres has linnen two Suppos we furnish each man with one Shirt untill Better turns out — Mr Ceres asks 15lb in Peletries per Ells, 15lb do Pr Shirt &c. It will be A Terrible Price to the State but yet it will be perhaps better to pay that then have in a few days no Soldiers which I think will Shortly be the Case If Some Such Method is not taken.

Mt Perault will tell you our Situation and what the Result would be in case of an attack.

I think it would be a happy thing could we get Colol Todd out of the Country for he will possitively Sett the Inhabitants and us by the Ears. I have wrote him a pretty Sharp Letter on his Signing a Death Warrant against My poor hogs for Runing in the Oppen fields. I hear inclose a Copy of it—on Some Complaints by the Inhabitants the other day he wished that there was not a Soldier in the Country I wish so two provided we were any where else to do Something for we are but poor fellow's now. If you approve of this I beg you will give me an Answer as Soon possible for perhaps If two days Retarding may even put it out of our power to even procure this I have never Seen the people of this place So Mutinous as they are by the Encouragement of Colol. Todd, for they even begin to threaten to turn my men out of Doors and god knows what I shall do If they do for we are not Above 20 Strong and them Sick that I could depend on So they may Starve us if they like I am Sir with Compliments to the Gentl Your Most Obedt and very Hum Servt

Richard Mc. Ca [*MS. torn*]

Ca 19th Sepr. 1779

[*MS. torn.*]

My People just are come in and give me an accot of fourteen Hogs killed & wounded. four of which they have brought to town and Sold amongst them there are Several Sowes Just ready to Pig. at least my loss is Estimated at 1400lb in Peletries.

[*Addressed*] on the Service

To

Colo[l] Jno. Montgomery Command.g
the Illinois &c &c &c at
By favour of Fort Clark
Lt Perault

TODD TO GRATIOT.[1]

Falls of Ohio, Decr 19th, 1779.

Sir:

I am safely arrived here without Occurrence of moment.

Wishing you Health & Appetite for your Girl & Glass I proceed to explain the Business of this Letter.

I expect to return again to the post in Feb. or March & perhaps to Cohos & request you to purchase upon the best terms you can any Quantity of Lead not exceeding 5000 lb & send it to Capt. Winston to be lodged with him one half) & the other sent to me at the commanding officer at the Falls by the first Oppy. I will satisfy you for your Trouble & repay you — pray do not be scrupulous concerning the payment of debts contracted in behalf of the State. Rest assured that rewards are in store for the spirited patriot who will act nobly in her cause — I hope your future conduct will tally with your past & you need not the Favor of Government.

I sincerely wish you Happiness & am your Mo. Obedt Servt

Compliments to the officers, Jno. Todd Jr.
military & Civil, & all friends,

J. T.

[*Addressed*] Charles Gratiot, Esq., of Kohokia.

[1] In possession of Mrs. Armand Peugnet of St. Louis, Mo., a descendant of Charles Gratiot. Original manuscript. Transcription by Miss Mary Louise Dalton of Mo. Hist. Soc., St. Louis.

McCarty to Clark.[1]

Cascakia 14th Octor 1780

Sir

I have so many things to Inform you of I dont kno' Rightly where to begin; being an Intire Stranger to the Intentions and designes of Government, for this Country; however as I imagine, what has and is goeing on hear Regards you in Part I think it my Duty to Inform you thereof as far as comes to my knowledge; and this by way of Journal—

Extract from M^{c}Carty's Journal. Cascakia.

"The 27th July Mr. Bentley arrived from Au Post,[2] and Say's there is a french Officer arrived there call'd Colol Dela Balme[3] and that he Said the french intends fighting Both the English & Big knife, he Said to the Inhabitants why dont you drive these Vagabonds away, Speaking of our Troops; that the Best way to get Quit of 'em was not to furnish them any Provisions &c. in a a Council with the Indians had told them he Recommended there Sending immedeat advice to the Shawnese that Colol Clark was going against them, and that If he was a Little Bird, we would flye and tell them; Colol Montgomery being at Cahôs and only Capt. Rogers and myself hear, we waited on Mr. Bentley and beged of him a Circumstantial accot of this man in writing that Colol Montgomery might be assured of what was goeing on, which Mr Bentley said he could not give having it only from hearseay But that Mr Dalton had wrote to Colol Montgomery an accot thereof.

Capn Roger's & Self went up to Caho's arrived the 29th and Informed Colol of it & Delivered Daltons Letter; The Inhabitants presented a petition to Colo. Montgomery to be eased of a part of the Troops, and to have them equally devided in the Other Village, Colol M. Refused to devide the Troops and will Evacuate the Country intirely I with Several Other Officers desire a Council thereon before done but were Not harkened to.

[1] *Dr. MSS.*, 50J66, original manuscript.

[2] Vincennes.

[3] For an account of De la Balme, see *Introduction*, pp. lxxxix. *et seq.*

Colo[l] went off to Cascakia 30th Gave orders to march in 8 day's Our men are very near all Sick, Some dies &c.

Sunday 3d Lt. Girault arrived from Cascakia with News that Camp Jefferson was besiged and with Orders for All the Troops to March for to give it Succour, we have only one Boat of the State hear and that impossible, for it to Swim up Unless Mended, no Pitch nor Oak'um, Major Williams gave orders Munday the 4th for me to go with all the Men able, to its Succour. I got Boat mended with old rags as well as could be, but was obliged to have it Sunk to try to make it tight, the 5th had the Boat loaded but was obliged to unload her, it Sinking and was obliged to Press all the Little Boats to the N° of five to Carry Men & Provisions and Sett of about 2 O'Clock camped at Marramack to wait for the rear; all came up at Sundown No Ma [*MS. torn.*] Night boats Small & Mississippi low. the 6th passed Missere[1] Mr Valley gave my people 22 loaves of Bread, obliged to Leave Seven Sick Men not being able to help themselves, and Sent word to Kennedy at Cascakia to have them taken care of, the State having a Store there; 23 Indians from Missere followed me without being asked, & we were 33 men & officers Capn Keller very Sick the 8th met Mr Sarpys Boat at the Ohio, all well-Indians Gone &c. Got into the Mouth of Chanel of fort Jefferson at 3 O'Clock afternoon Mr Dalton arrived about 2 hours after me from auposte having Evacuated it. The whole people here are Sick a General Murmur Children Dieing fast, Numbers of the Inhabitants goeing off, the Enemy having Distroyed their Corn pumkins, Cattle horses &c. Colo[l] Montgomery and Sundry of the Officers desired me to draw up a writing Setting forth the Situation of the place &c.

the 11th held a Council where it was Generally desided to Change the Situation of the place or to export all State Stores &c. up to the Illenois Untill things Should be Better prepared for the Establishing Said Place

The 13th; Sett of to Return to Islenois, and I endeavoured to Bring up What Boats I could of those pressed at Cahos but was

[1] Ste. Genevieve.

hinderd, we have nothing to eat but Corn without Grece or Salt Much Murmuring Amongst the Troops, arrived at Cascakia the 20th Myself very Sick, Colo Montg & Dodge &c arrived a day before by Land Colo Dela Balme is Arrived hear from auposte with an Escorte of 30 men french and Indians and is now at Cahos & St Louis he arrived from Cahos did not wait on Colo. Montgomery nor Colo Montgomery on him the People in General Seem to be Changed towards us and Many things Said Unfitting. Mr Dodge hath discoverd that he has dined (he says) with this Colo at Philadelphia at the french Ambassadors and in Consequence from having him put in Irons, pay's Great Court to him, the two Colos has not at Yet Met. My Men have been three days without Provisions, and can not procure Any for them they have killed hogs in the Commons this Creats Bad Blood &c. and Some of My Men as well as Capn Kellars have deserted I am informed, the 27th in the Evening had a dispute with G Dodge on acco of his not getting Provisions &c. tho' he has orders therefor from Colo Montgomery to purchase; and that Some of our poor Soldiers Died purely for want of Subsistance. Next day he complained to Colo Montgomery who arrested me, thos jarret Williams whorswhiped Dodge & Complained yet Colo Montgomery Never arrested Williams.

got a Permision in writing from Colo Montgomery to go to Cahos & St Louis on my Private Buissiness the 30th Sett off for Cahos arrived Sunday 1st Octor 2d went to St Louis to See My Uncle came back the 4th; when I found Colo dela Balme Raising a Party for Detroit of Voluntiers with those from Cascakia Captn. Plassy at their Head, Our Little Doctor Ray with them the 5th Sett of, My Serjt Villiers is goeing with them & Many Others of my Men but I only Saw him, I informed Serjt Meryweathers of the Light horse that he was a Soldier of My Co and had State arms and that he was a Deserter, myself being under an Arrest had no orders to give, Serjt merwether took Said Villiers & Confined him, Capt Plassy Gave orders and the Little Doctor at the Head of a Rabble went and Rescued him from the Guard and

have taken him along with them, they Amount to About 40 men, with their arms &c. each man fournishes every Necessary—40 days Provisions two pounds powder & Led. I Suppose they have 30 horses or near that n° with them they are to be joined at Ouias by the poste People, I am also informed by one of the Inhabitants of Cahos that the people, (that is a Sett of them) of Auposte, Cascakia & Cahos have Sent by this Colo[l] dela Balme to Congress or the french Envoy, a Circumstantial acc[t] of all their Supposed Grievances and Enormitties Committed in this Country by our Troops much Exagirated; but I must Confess Many things has been done which Should not; a Sort of Combined Trade Between Dodge & Bentley for the purchasing the Certificates from the people have raised their hatred of us to Such a Pitch that they will not suffer no Troops hear, and Desire we all March of Either by fair means or otherwise &c this Colo[l] dela Balme the Morning he left Cahos told the Indians by Tom Brady wife Interpreter that they should be & Remain Quiet for in the Spring they would See french Troops hear.—the Spanish Commander hath given him no Countenance whatever and is Surprised he is Suffered on our Side he being Authorized by no State or Power in America to do what he does in Short as things are now the people in General are allinated and Changed from us there must be a Reason for it, had Colo[l] Clark been hear or an officer to Second him this would not have been. M[c]Carty

Copy of Colo[l] Montgomerys Answer to My Letter viz

Sir

you are Permitted to Go and do Your Bisniss & be a Shured I was Much a Ganst the Arest But his Complaint Compeled me to it and I am Sir as Before your Humble Serv[t]

(Signed) Jn° Montgomery

To Magor M[c] Cartey (Draper MSS. 50 J 68.)

PENTECOSTE TO LACROIX, NOVEMBER 16, 1785.[1]

On my return Home from your part of the Country I Purchased from Generall Clark the Grant made to sir Stephen Trigg adjoining the lands I bought of Mr Gerardine, and by Sir Stephen

[1] *Papers of Old Congress*, xlviii., 55, from copy. This copy was enclosed in the memorial printed on p. 581.

Conveyed to the Said Genl. Clark Including the Caskaid and the feilds [*sic*] Adjoining between the Abbee Springs and Caskaid and the Mills, this grant is ten Arpents extending out from the line of Common. Easterly one half Arpent North of the Caskaid and thence down the Missisipi with the said Line of Common 21 arpents in Depth and as those Expressions in the Original Language means Different from yours of the Kanadian Customs I am appprehensive some of the people will be dissatisfied, but it cannot be helped, for for [*sic*] it includes upwards of Twelve Thousand Acres our measure, which will Extend down the River Near Four Miles, therefore it is not my Intent to disturb any person either setled within the bounds or that tend feilds [*sic*], Captn, Peterson will give them Leases for ten years without rent subject to the taking Care not to make waste and to keep up the fences, and any person that may have built in the bounds shall have their buildings and a Suitable piece of Land adjoining thereto without paying me any thing for which this shall Serve as an Obligation, and I Expect you will Assist Captn Peterson in Negociateing this business. I enquired at Congress Relating to grants of your Country made by your Preists [*sic*] or Vicar Generals under his Lordship the Bishop of Quebeck, and the United States Agree they are Valid and Cannot be Controverted, which is one of the Titles I hold by, and it may be pleaseing to your Setlers to know their property is secure to them — the Post Vintsent People seems to be on a Diferent footing, but it seems the Kaskaskias and your people have a Quite different authority to grant Lands.[1] I saw the Generall Clark in Philladelphia Last sumer who told me as soon as the Late Indian Treaty was Completed that he would Come down to your town and Lay out my lands agreeable to Pattent but if he should not be down this summer please to assist Captn Peterson in doing it as he has a Coppy of the deed with him with the Engles and Calculations agreeable to which it must be done, the Original deed is recorded in the Office for Recording Deeds in the Village of Kaskaskias in book or Folio No 172 Pages 122: 123 and 124 to which refference may be had.[2]

[1] With few exceptions, the courts of Kaskaskia and Cahokia confined their grants of land within what they claimed was their commons.

[2] This volume is in Chester, Ill.

Coppy of Part of A Leter Wrote by Collonell Penticost to John Baetiest [*sic*] Lacroix Dated Washington County November 16th 1785 No. 1.

July 18th. 1786 Done by me Nathl Wells

je Souissigne procureur des Etats unis de lamerique aux ilinois residant aux Cahos Certiffie a tous quil apartiendra que lextrait cy dessus a Eteé tiré de la veritable lettre du S^{r} pentecoste que foy doit y etre ajoutée comme a loriginal qui a resté en mains du S^{r} La Croix Magistra du d^{t} district en foy de quoy j'ay signé le present et a iceluy aposé mon Cachet ord^{re} aux Cahos le dix huit juillet mil sept cent quatre vingt six.

Labuxiere pt des Etat

[*Translation of the certificate*]. I, the undersigned state's attorney at Cahokia of the Illinois of the United States of America, certify to all whom it may concern that the above extract has been copied from the very letter of M. Pentecoste and that faith should be given thereto as to the original which remains in the hands of M. LaCroix, magistrate of the said district. In faith of which I have signed the present and set thereon my seal, at Cahokia the eighteenth of July, 1786.

Labuxiere, State Attorney.

Census of Cahokia, August 27, 1787.[1]

1787, aoust 27. Recensement des habitants et de leurs enfans males de la paroisse des Cahokias aux Ilinois. Savoir

[*Translation:* 1787, August 27, census of the inhabitants and their male children of the parish of Cahokia in the Illinois, To wit:]

Mr. françois Trottier pere[2]		Etienne nicole[4]	1
ses enfans		Deshaye[5]	1
francois Trottier		Lagrave	1
Clement	5	Philipe Le Boeuf[6]	1
joseph		Joseph Lachanse[7]	1
auguste		Gabriel Langlois[8]	1
		Raphael Langlois	1

Charle Lefevre pere[3]		Alexis Brisson[9]	
Charle Lefevre		Alexis son fils	2
auguste	5	Charles Cadron pere[10]	
Louis		Charle, ses fils	3
alexis		Etienne, ses fils	3

[1] *Papers of the Old Congress*, lxviii., 189, original manuscript. This census was made after Harmar's visit to Illinois, and was used by Barthèlemi Tardiveau in his petitions to Congress for grants of land. There are similar lists of the inhabitants of Vincennes, of Kaskaskia, and of the American settlers. The last gives the date of the arrival of each in Illinois.

For the following notes I am greatly indebted to Mr. Benjamin Sulte of Ottawa, Canada, who has traced for me the families from France to Canada, and, when possible, from Canada to Illinois. The chief sources of information have been Tanguay, *Dictionnaire Genealogique*, 7 vols., Mr. Sulte's own notes, notes of Hon. Walter B. Douglas of St. Louis, Mo., the documents printed in this volume and a collection of marriage contracts belonging to the *Cah. Rec.* in Belleville, Ill. Identification is made very difficult by the common usage among the French of two names, the regular surname and a second name given for some peculiarity of character in an ancestor or taken from place of origin or habitation. In the documents of the time either, or both, of the names is used.

[2] The family was in Canada as early as 1647, some members of which moved to Detroit at an early date. In 1758 François Trottier married at Cahokia Louise Laroche. Reynolds (*Pioneer History*, 35) says that there was a Joseph Trottier in Cahokia in 1775, who carried on an extensive commerce with New Orleans. I have found only one reference to him. — *Supra* p. 459. François was very prominent after the coming of Clark, was made the commandant of the village and was elected justice both of Clark's court and in 1779 of that of the district of Cahokia.

[3] Lefebvre or Lefevre called Courier. The family is a large one in Canada, but I have not been able to follow this particular branch to Illinois. There was a Lefebrve acting as judge in the Illinois under the French in 1765. It is possible that Charles is descended from him. Charles married Françoise Nicolle September 19, 1761. It is probable that the other Couriers of the records were also Lefevres.

[4] Correct spelling Nicolle. Probably a son of the Etienne Nicolle who was poisoned by the negroes. See *supra*, p. 13 *et seq*.

[5] Deshayes called St. Cyr. The family settled near Three Rivers, Canada, in 1672.

[6] Three families of this name settled early in Lower Canada.

[7] Caillot called Lachanse. Probably the son of Nicolas Lachanse of Kaskaskia, who had a son of this name.

[8] Langlois is a common second name in Canada, and is found both in Cahokia and Kaskaskia used as a surname. A Clement Langlois was a justice in 1780, but what his relation to these two was I do not know.

[9] Born at St. Pierre-les-Becquets near Three Rivers, Canada, March 6, 1746, he married at Cahokia Julienne Locat, widow of Pierre Roy, on September 25, 1787. As the preceding pages show, he was of a lawless character and gave the authorities much trouble.

[10] From Lower Canada.

joseph Bellecour[11] 1

joseph Cecire pere[12] 2
joseph son fils.....

joseph Lapensée[13] 1

antoine Lepage.....
joseph Lepage[14] 4
simon Lepage.....
Louis Lepage.....

antoine Boyer..... 1

augustin dubuque[15] 1

joseph Labuxiere pere[16] .. 4
Louis..... ses fils
Antoine.....
francois.....

jean Lapensée[17] 1
jean Bte. Lalande..... 1
francois Lapensée[18] 1

andré Becquet 2
Charle Becquet.....
Philipe Gervais[19] 4
Louis
Philipe ses fils
Ignace

Pierre Lajeunesse[20] 1

[11] His signature reads Belcour. This was a very common second name among the French. I have noted it as given among the Cahokians to a Saucier and a Lebrun.

[12] Cesire in Canada and Casirre according to the signature of his father. The family was at Lachine, Canada, in 1670. Antoine, the father of this Joseph, was in Cahokia as early as September, 1753, at which time he married. He was the most important citizen of Cahokia in 1778. He died in 1779. His son, Joseph, married on February 9, 1777, Marie Alarie. He was one of the justices in 1781. On August 6, 1783, he married Marie Louise Levy, widow of Michel Monet.

[13] The name as given here was probably the correct spelling, but since this member of the family was the only one who could write and he preferred to spell the name Lapancé, I have followed that spelling throughout the volume. The name was the second name of the Roy family. Jean Roy, his father, emigrated from Lachine, Canada, to Cahokia before 1752, for he was married there in that year to Marie Pancrasse. Joseph Roy called Lapancé was evidently an important citizen, since he was twice elected to the office of justice, in 1783 and 1786. He married on February 8, 1781, Catherine Cesirre, daughter of Antoine Casirre.

[14] The Lepages of Cahokia probably came from Canada, where several families of that name settled between 1665 and 1750. A Joseph Lepage was elected justice in 1780, but whether he was this one or the father of these four I do not know.

[15] The Dubuques came from St. Pierre-les-Becquets in the district of Three Rivers, Canada. The most important of the family was Julien Dubuque, after whom Dubuque, Iowa, was named. It has been said that he was at Cahokia for a time, but I have found no evidence of his presence there.—Tassé, *Les Canadiens de l'ouest*, 230 *et seq.* What is known about Augustin Dubuque will be found in this volume. See *Index*.

[16] Not Labussiere or Labusciere, as it is sometimes written. Billon, *Annals of St. Louis*, 27, says he came from Canada, but no trace of him has been found there. He became notary-clerk in the Illinois in 1757 and served the French government till 1765, when he went to St. Louis, where he received the first grant of land in the new settlement. Here he continued to exercise his functions under the government of the interregnum. After the Spaniards took possession he served as notary till about the year 1781, when he went to Kaskaskia and was appointed state's attorney and notary. See *supra* p. 487. On account of the disorders of the village, he moved to Cahokia, and, as the preceding pages show, gave the community able service. He died April 29, 1791.—*Missouri Reports*, IV, 343.

[17] See *supra*, note 13. This is probably J. Pierre Roy called Lapancé. He was elected a justice in 1784. In 1785 he married Marguerite Lefebvre, daughter of J. Marie Lefebvre and widow of J. B. Lalande.

[18] Francois Xavier Roy called Lapancé married Therese, daughter of Pierre Godin, January 28, 1786.

[19] The family was from Canada.

[20] This second name belongs to 36 different families in Canada.

nicolas turgeon[21] 1
Bte. Mercier[22] 1
julien Mercier 1
hubert Mercier 1
pierre troge[23] 1
Louis pilet[24] 1
Charle pilet 1
michel pilet 1

Michel Charly[25] ..... } 2
Michel son fils ..... }
jean Bte. charley aussi son fils 1

francois Dion[26] 1
.....martel..... 1

jean Bte. Cadien[27] 1
joseph Buteau[28] 1

antoine Lamarche[29] ..... } 2
antoine son fils ..... }

pierre courville[30] 1
jean dorion[31] 1
jean Bte dumay[32] 1
pierre sicart[33] 1
charle Butard 1
Pierre Lecompte[34] 1

Bte. Saucier pere[35] ..... }
jean Bte son fils ..... } 3
mathieu son fils ..... }

[21] The family emigrated to Canada in 1645 and has spread to all regions.

[22] The family came to Montreal in 1658.

[23] This as it is written is not a Canadian name, but it may be Troche called Lafleur, a name found in Montreal in 1748. The name of Lafleur was common in Cahokia, as in Canada. Pierre had moved across the river to St. Charles by 1791.—*Census of St. Louis* in Mo. His. Soc. library of St. Louis.

[24] Family at Boucherville, Canada, in 1680. Some of the family were early settlers in Detroit, and it is probable that these Pillets came from there. Louis Pillet was a justice in 1784.

[25] Charly called St. Ange. Family from Montreal, where the first Charly in this country settled in 1653.

[26] Transformed from Guyon. From Canada.

[27] Perhaps Cadieu, as it is written in Canada, but the Cahokia clerk spells it very carefully Cadien. In *Amer. State Papers, Public Lands*, ii., 164, Cadien is given as a second name to Pierre Roy. It is possible that one branch of the Roy family was called Lapancé and another Cadien. See *supra*, note 13.

[28] From Canada.

[29] Second name of nineteen families in Canada. He was the son of Antoine Lamarche of the Montreal district, and married April 17, 1781, Magdeleine Buyat. He was a justice in 1783. On October 19, 1785, he married Marie, daughter of J. B. Becquet.

[30] I find this as a second name of the Cadien family, but see *supra* note 27. He was born about 1762.

[31] Family in Lower Canada since 1684. J. Marie Dorion was son of J. Marie Dorion of Quebec, and married Marie Magdeleine Buteau, widow of Alexis Bissiette of Cahokia, November 19, 1773.

[32] Also Dumest, Dumets, Dumais, Dumers. Family in Canada as early as 1640. J. Bte. Dumay's father, Jacques Dumay, was killed by an Indian at Detroit in 1760, the year the son was born.

[33] Better Sicard. Family from Canada.

[34] Second name belonging to many families.

[35] Saussier in France. The family is descended from a line of merchants who lived in Orleans, France. J. Bte. Saucier, the founder of the Illinois branch, became a military engineer and was sent to the Illinois. Here he planned Fort de Chartres in 1752. When the country was surrendered to the British he retired to Cahokia. Snyder, *Captain Jean Baptiste Saucier*. The story of the lives of his sons, J. Bte., François, and Matthieu, is found in these records. They were important men in the community and were frequently elected to office. François was the first clerk of the Court of the District of Cahokia and Baptiste was one of the first judges. Like many other Frenchmen, François and Matthieu withdrew to the Spanish banks on account of the immigration of the Americans. The former was appointed

pierre martin[36] .....
pierre martin..... } 3
hyacinthe.....

francois Noizé[37] 1

Mathieu Saucier[38] .....
mathieu son fils..... } 2

Louis Lebrun[39] .....
Louis
Batiste } ses fils..... } 3

Thomas Bredy[40] .....
Baptiste son fils..... } 2

Louis Lamarche..... 1

Paul Poupar.....
Paul son fils..... } 2

joseph Bissonet[41] 1
joseph Giroux[42] 1
Louis Roy.....
francois Roy..... } 2

jean Bte. melot[43] 1

francois saucier pere[44] ....
Charle son fils ..... } 2

j. Bte. Gonneville[45] 1
jean chauvin[46] 1
jean Beaulieu[47] 1
Michel Beaulieu..... 1

commandant at Portage des Sieux and was given a large tract of land by the Spanish government in 1799. His brother, Matthieu, received a grant the next year.—*24 Cong., 1st Sess., H of Rep.*, Doc. 59, pp. 75 and 181. François was living in 1817 and was about eighty years old.

[36] Old and large Canadian family. Pierre was a justice in 1779.

[37] Noiset called Labbé. His father was Nicolas, who married at Cahokia January 16, 1758, Marie St. Yves. The river Labbé, in Cahokia, was evidently named after the family, which had a mill on the stream.

[38] See *supra*, note 35.

[39] Fifteen families of this name in Canada. His father's name was Joseph Lebrun. He himself married Marie Louise, daughter of François Trottier, February 13, 1776. He was a justice in 1782–1784.

[40] From his marriage contract with Marie Lachevêque, widow of Charles Le Boeuf called Laflamme, of June 8, 1779, it is learned he was a "native of New England of the ville of Maryland," which doesn't agree with Reynolds' statement (*Pioneer History*, 68) that he was a native of Pennsylvania. He was a member of the De la Balme expedition against St. Joseph, and was captured. He afterwards escaped and returned to the Illinois. See *Introduction*, p. xcii. and Mason, *Chapters from Illinois History*, 285. His connection with this expedition proves that his interests were with the French party in the Illinois rather than with the American. He was for a time Indian agent at Cahokia.—*Cah. Rec.* In 1785 he was one of the justices and for several years acted as *huissier*.

[41] He was the son of Jean Bissonnette, a native of Canada, and married the widow of Michel Girardin, June 12, 1776. In 1784 he was one of the justices.

[42] From a large and old Canadian family.

[43] Probably Milot. A family from Montreal.

[44] See *supra*, note 35.

[45] Second name of the Desjardins. There was a Charles Desjardins at Detroit in 1761.

[46] The Illinois Chauvins were probably members of a Detroit family of that name. There was an important branch of the family at Kaskaskia. I have found nothing of this Jean Chauvin.

[47] The full name is Palmier called Beaulieu. The father of these, Michel Beaulieu, was one of the justices of Clark's court and was elected justice of the Court of the District in 1779,

Bazile Beaulieu..... 1
Louis Beaulieu..... 1

Nicolas Boismenû [48] 1

henry Biron [49] ..... } 2
Charle son fils..... }

Pierre Chrestien [50] 1
Pierre Laperche [51] 1
Louis Rele [52] ..... } 2
Clement Rele..... }

auguste lecompte..... 1
francois theophile..... 1
joseph Poupar pere [53] .... }
joseph.... } ses fils } 3
Paul..... }

Claude Chesnier pere [54] }
joseph } ses fils } 3
jean Batiste }

Louis deslonchamp [55] ..... }
Louis son fils..... } 2

Charle ducharme [56] 1

Louis gaud [57] ..... }
Louis }
joseph } ses fils }
jean Bte }

francois gramont [58] 1

pierre Lafleur pere [59] ..... }
pierre son fils..... } 2

but he died shortly afterwards. His wife, and the mother of these Beaulieu, was a member of the Chauvin family, her father being a subaltern officer at St. Philippe. She was educated at Quebec and was "Director General in moral and medical matters" of Cahokia.—Reynolds' *Pioneer History*, 295. She lived to an advanced age and died in 1826.

[48] This is the second name of many families in Canada. Nicolas was the son of Andre Boismenu of Montreal. He married Margaret Palmier called Beaulieu, daughter of Michel Beaulieu, on January 28, 1786. He was a member of the De la Balme expedition against St. Joseph.

[49] The family was from Canada. Henry Biron was one of the justices in 1788 and served till 1790.

[50] Two families in Lower Canada of this name.

[51] Laperche called St. Jean. The family was in Boucherville, Canada, as early as 1694. He was the son of Pierre Laperche, and married Therese Chretien, February 25, 1786. He was one of the justices in 1787, and served till 1790.

[52] Also Relle, Real, and Riel. The name is still found in the province of Quebec.

[53] The family was in Boucherville, Canada, in 1680.

[54] Also Chênier. The family was in Quebec in 1649.

[55] Deslongchamps, the second name of the Hubout family, which settled in Lower Canada as early as 1645.

[56] The name is found in Montreal at an early date. The family has been famous in western annals through the deeds of Dominique, Joseph, Laurent, and Paul. Charles Du Charme is a hitherto unknown member of the family. He was one of the most prominent inhabitants of the village, and served twice as justice.

[57] This name is probably not Canadian. He married Charlotte Lonval September 6, 1775.

[58] Grandmont is the proper spelling. Second name of the Hourés, who lived near Three Rivers, Canada, as early as 1670. He was the son of Pierre Grandmont, and married Catherine, daughter of Joseph Clermont, February 16, 1784.

[59] If the identification in note 23 above is correct, the name is Troche called Lafleur. The name Lafleur, however, was and is as common in Canada as Smith with us. Pierre was son of Paul Lafleur, and married Marie Amable, daughter of Fr. Lonval, February 8, 1784.

Bte. Baron [60] 1
Louis Clemont [61] 1
pierre Clemont..... 1

pierre Butau..... 1
alexis tabeau [62] 1
jean Bte Kaire..... 1

Louis harmand [63] .. } freres 3
francois harmand... }
jean Bte. harmand.. }

antoine Lacource [64] ..... } 2
antoine son fils ..... }

Pierre durbois [65] 1

francois courier [66] .. } freres 2
pacsal courier }

francois Lonval..... }
francois } ses fils.. } 2 [3]
paul }

jean Bte dubuque [67] 1
hyacinthe Cecire..... 1

Louis compte [68] 1
Louis .. }
jean Bte } ses fils 3
Bazile.. }

Louis Leboeuf [69] ... } freres 2
Bazile Leboeuf..... }

Louis trotier pere [70] ..... }
francois } ses fils } 3
joseph }

andré merleau [71] ..... } 2
francois merleau..... }

jean Bte merleau..... } 2
fraucois merleau..... }

george Blain [72] 1
Gabriel merleau..... 1

[60] Uncertain whether from Canada or not. His wife was Domitilde Rolet. He was one of the justices in 1782. He died some time before 1789.

[61] Correct spelling, Clermont. The name is common both as surname and second name in Canada. Louis was killed on the Cumberland River in 1793.

[62] Family from Lachine, Canada. Alexis died before 1789.

[63] Full name Harmand called Sansfaçon. The family is from Canada. These are probably the sons of Antoine, who plays such an important part in the court record.

[64] Second name of three Canadian families.

[65] Durbois, or Dubois. The family is from Canada. He was the son of J. Bte. Durbois, and married Catherine, daughter of Fr. Lefebvre called Courier.

[66] Probably Lefebvre called Courier. See *supra*, note 3, but there were two families of Couriers in Canada from the end of the 17th century. François was twice elected justice, in 1780 and 1783.

[67] See *supra*, note 15. Jean Bte. was the son of Andre Dubuque, a native of Montreal, and married Suzanne, daughter of Antoine Cesirre. His influence in Cahokia was equal to that of François Trottier or of Antoine Girardin. He was a justice in 1781, again in 1785 and in 1788, when he served till 1790. He was acting as commandant in 1787.

[68] See *supra*, note 34. Native of Terre Bonne of the province of Montreal. He married Marie Lamarche, widow of Joseph Langdoc, January 27, 1775.

[69] There were three families of this name settled in Lower Canada between 1665 and 1759.

[70] See *supra*, note 2. Probably a nephew or cousin of François Trottier.

[71] Called both Petit and Laramie. The family came from Lachine, and was in Cahokia as early as 1761.

[72] Also Blin. From parish of St. Pierre-du-Mont-de-St. Michel, Normandy. He married Suzanne Alarie, widow of Louis Bissonnette, October 25, 1775. His father was a justice in 1781 and died about 1784.

francois oubreman..... 1

jean Bte milot[73] ..... } 2
jacques son fils..... }

joseph Poirier[74] 1

Louis chatel pere[75] ..... } 2
Louis son fils..... }

ignace grondine[76] . }
francois grondine... } freres 3
Joseph grondine.... }

Charles la Croix..... 1

joseph Laplante[77] 1

Paul de St. pierre[78] 1

hameau de la prairie du pont paroisse des cahos.

[*Translation:* Hamlet of Prairie du Pont, Parish of Cahokia.

Laurant amelin pere[79] .... }
Louis } ses fils } 3
joseph }

gabriel telier[81] ..... } 2
amant telier ..... }

Joseph Lambert[82] 1

francois hamelin..... 1

Etienne ardouin[80] 1

Charles germain[83] ..... } 2
Charles son fils..... }

[73] He was born at Pointe Claire, near Montreal, and married Françoise Pillet at St. Louis, January 15, 1781.

[74] Poirier called Desloges. The family settled at Lachine, Canada, in 1705.

[75] The family settled near Quebec in 1680, and has spread in all directions. Although illiterate, Louis Chatel was an influential man in the community, and was a justice in 1784, 1786, and in 1788, serving the last time till 1790.

[76] The name of a fief forty miles below Three Rivers, Canada. The Hamelins were seigniors of it, and since Hamelins dwelt in Cahokia these men probably were of the same stock. There were Hamelins at Michillimackinac as early as 1738. It was a J. Bte. Hamelin who led the detachment of the De la Balme force against St. Joseph in 1780, where he was killed. He was probably the father of these brothers.

[77] Second name of fourteen different families in Canada.

[78] Father Paul de St. Pierre was a native of Germany or Holland. He became a Carmelite, served as priest in France, and came to America as chaplain in Rochambeau's army. He was sent by Prefect-Apostolic Carroll as missionary to the West. In February, 1785, he was in Louisville, Kentucky, and then went to Cahokia, where he resided as parish priest till 1789. He was very popular with the people, and they built for him a new parochial residence and a new church. The latter is still standing. His relations with Father Gibault, who was priest at Vincennes till 1789, were very pleasant; but the ecclesiastical peace of the Illinois was disturbed by the appearance of Father de la Valiniere as vicar general of the prefect-apostolic. The latter made many complaints against Father de St. Pierre, but the people of Cahokia upheld their priest. Like the other priests of the Illinois, Father de St. Pierre was persuaded by the Spaniards to cross the river, and he was put in charge of the parish of Ste. Genevieve, where he officiated till 1797. Where he went then I do not know, but from 1804 till his death on October 15, 1826, he was parish priest at Pointe Coupée, where he was regarded as "one of the most remarkable priests that ever administered St. Gabriel's church." — Shay, *Life and Times of Archbishop Carroll, Index* (add reference, p. 474); *Amer. Cath. Hist. Researches*, New Ser., ii., No. 3; Rozier, *Early Settlement of the Miss. Valley*, 117; *Introduction*, p. cxxxi.

[79] See *supra* note 76.

[80] Probably he came from France to Detroit, where he married Marie Josephte Lapointe, January 6, 1771. He may, however, be descended from the Hardouin family of Canada.

[81] Also Letellier. The family settled in Canada about 1655. There were members of the family in Michillimackinac in 1747.

[82] Three different families in Canada of this name.

[83] Six families of this name in Canada in the 17th century. He was son of Charles Germain, and married Catherine, daughter of Ignace Grondine, October 12, 1783.

pierre cabassier [84]
joseph cabassier
Baptiste cabassier
Xavier cabassier
Charles cabassier
antoine cabassier
} freres 6

joseph Lacouture [85] 1

amable Chartran [86] 1

Baptiste chartren
Toussaint chartren
Thomas chartran
Michel chartran
} 4

joseph Biguier [87] .....
Louis son fils.....
} 2

Michel Rocq..... 1
Michel gau..... 1
Louis gau [88] 1

Baptiste alary pere [89] .....
Baptiste
joseph
} ses fils
} 3

jean Godin [90] .....
francois Godin.....
pierre Godin .....
} frere 3

francois Bracanda [91] .....
andre Bracanda.....
} 2

joseph vaudry [92] .....
Bte vaudry.....
} 2

Baptiste la Becasse [93] .....
Baptiste son fils.....
alexis labecasse.....
} 3

joseph desloges [94] .....
joseph son fils.....
} 2

Izidore Savoy [95] 1

Philipe Engel [96] .....
antoine angel.....
michel angel.....
} 3

francois alexandre. [97] 1

Louis perian.....
Baptiste perian.....
} 2

[84] The family was in Lachine, Canada, about 1668. There was a family of this name in Detroit in 1752.

[85] Joseph Chatigny called Lacouture. The family is from Canada.

[86] Family in Montreal before 1668.

[87] Biguier called Groslé. He came to Cahokia from Prairie du Rocher. The family came to Canada in 1755.

[88] Gaud. See *supra*, note 57.

[89] Also Alarie, which is the way the members of the Illinois family wrote it. The family was in Canada in 1678. He was the son of Bte. Alarie, and married Catherine Laviolette, widow of Pierre Godin, April 16, 1781. He was a judge in 1782.

[90] Godin called Turanjeau; also spelled Gaudin. The family was in Canada in 1651. The father of these three, Pierre Godin, was one of the prominent inhabitants of Cahokia in 1778. He served as justice in Clark's court, but he died shortly after being elected as one of the justices of the Court of the District of Cahokia in 1779.

[91] Possibly Spanish settlers.

[92] The family was at Three Rivers, Canada, in 1658.

[93] Labecasse. Possibly not from Canada.

[94] See *supra*, note 74.

[95] Also Savoy and Savoie. Many families of this name settled in Canada between 1747 and 1779. In 1791 Isidore Savoy was in Spanish St. Charles.— *Census of 1791*, in Missouri Hist. Soc. Library of St. Louis.

[96] Native of the Duchy of Darmstadt, Germany. He married Marie Josephte Rochelot on August 13, 1783. He was elected a justice in 1785, 1787, and 1788, when he served till 1790.

[97] This may be either a surname or a second name, both of which are found in Canada

francois gerome[98]	1	jean Bte. La Croix pere[101]	
Louis giroux.....	1	Baptiste la Croix	
pierre Gassien.....	1	francois la Croix } ses fils	4
		Louis La Croix	
Michel Peltier[99]	1		

antoine girardin[100]		Gabriel Baron[102]	1
Louis girardin.....	2	Michel Clermont.....	1
Michel girardin.....		pierre Clermont.....	1
antoine girardin fils.....	2	auguste Clermont.....	1
auguste girardin.....	1	Francois Renoux[103]	1

je soussigné commandant aux cahokias aux Ilinois Certiffie le present rescensement viritable montans a deux trente neuf personnes males residant Et habitants dans les deux villages tous français tant hommes que enfant males aux Cahos le neuf septempre 1787.

[*Translation:* I, the undersigned Commandant at Cahokia in the Illinois, certify the present census to be correct, amounting to two hundred and thirty-nine [40?] male persons residents and inhabitants in the two villages, all French, both men and male children. At Cahokia the ninth of September, 1787.]

[98] Also Gerosme. Probably a second name. He was the son of Jean Gerosme, and married Marie Louise Lemire, widow of Louis Giroux and also of François Biguier called Groslé.

[99] Pelletier called Antaya. The family was among the early arrivals in Canada. About 1665 one of the family married an Indian woman, from whom came the name Antaya. The family was in Cahokia as early as 1751.

[100] A family of this name settled near Quebec as early as 1664, but this Cahokia family may have come directly from France. Antoine was one of the most prominent citizens of the community. He bought in 1764 the plantation and mill belonging to the mission of St. Sulpice at Prairie du Pont.—Reynolds, *Pioneer History*, 54. He was justice in Clark's court, and was elected a justice of the Court of the District of Cahokia in 1779, 1785, and 1787, serving till 1790. During the last years he was president of the Court. He was commandant of the village of Prairie du Pont. After the establishment of the county of St. Clair he was appointed judge of the Court of Common Pleas as well as of Quarter Sessions, and he held other important positions. He died about 1802.—Smith, *St. Clair Papers*, ii, 165.

[101] The name is a most common one in Canada. His full name was J. Bte. Hubert LaCroix. He was son of Pierre Hubert LaCroix of Quebec, and married Catherine Aubuchon, widow of Joseph Clermont. He is probably the LaCroix referred to in Clark's letter to Mason.— English, *Conquest of the Northwest*, i, 443. He was one of the justices in 1780, 1784, 1785, and 1786.

[102] See *supra*, note 60. He was a son of J. Bte. Baron, and was born at Cahokia December 17, 1752. He married, first, Marie Louise Buteau, and, on June 15, 1789 Marie Harmand, widow of Alexis Tabeau. He was a justice in 1772.

[103] From an old Canadian family.

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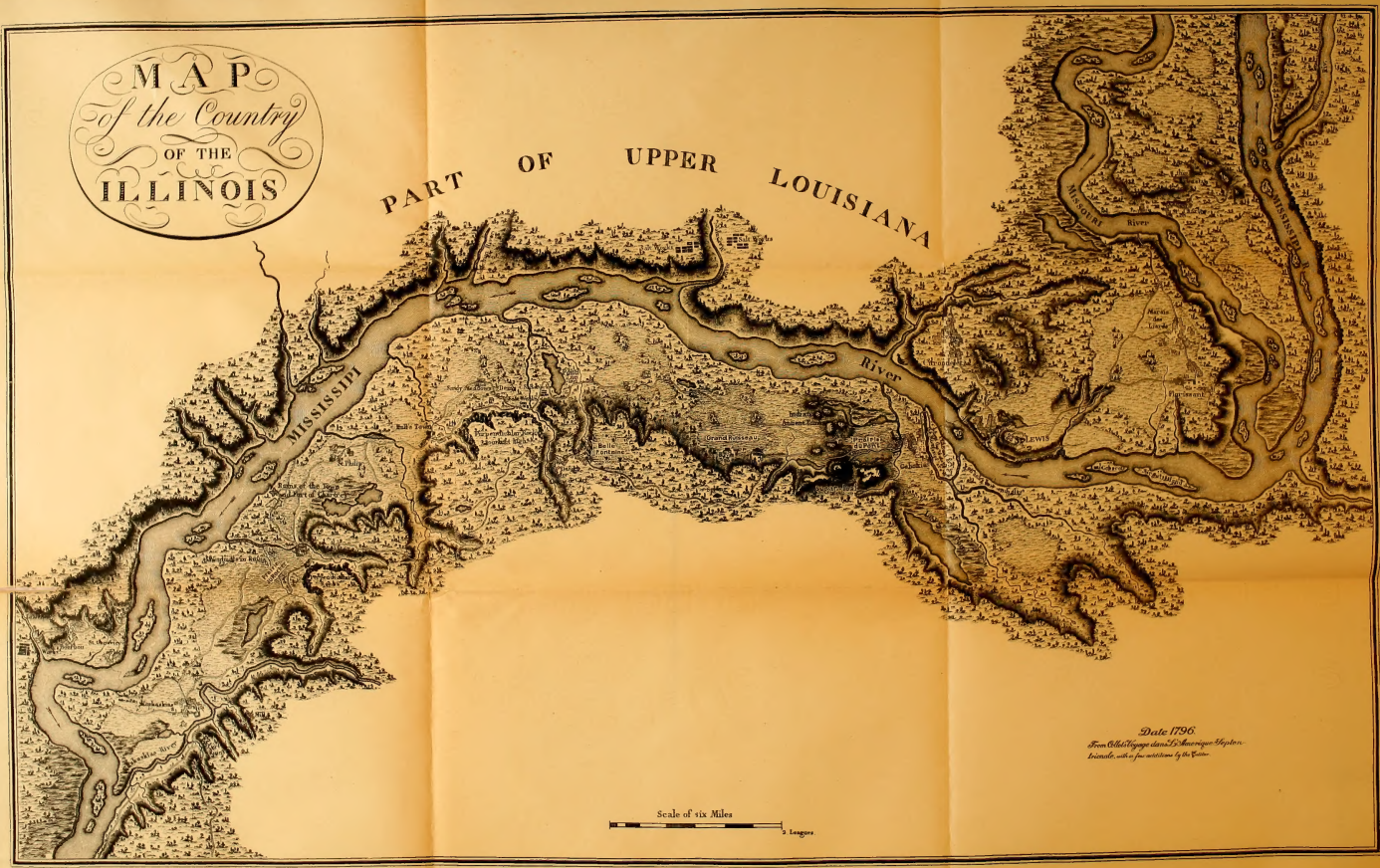
MAP
of the Country
OF THE
ILLINOIS
PART OF UPPER LOUISIANA
MISSISSIPI River
MISSOURI River
Missouri River
Mississippi River
ST LEWIS
Ohio River
Date 1796
Scale of six Miles
2 Leagues